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# NEW YORK IN BONDAGE

BY

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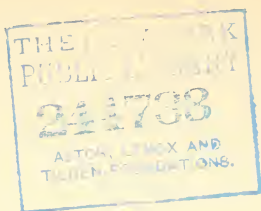
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TO ALL WHO FAVOR  
PURE MUNICIPAL GOVERNMENT

THIS BOOK IS  
RESPECTFULLY DEDICATED  
BY THE AUTHOR.



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## A FOREWORD.

---

IN publishing "New York in Bondage," by Hon. John D. Townsend, the possibility was at first anticipated of writing the book up to date on the lines laid down by its author, upon the premises that in the natural course of events the conditions of public affairs would change.

This necessity has not arisen, for judging by the daily chronicles of the press (expressing the sentiments of the people), the scenes and the actors of them remain practically identical as when the writer laid down his pen four years since . . . the same reasons extant that make the Boss system possible, that is, the "backing" furnished by "respectable" citizens and corporations, doing business through their chosen figurehead, who but for this could not exist; the same so termed *Boss*, menacing public honor, dignity, property and peace, controlling and handling the ribbons of the police force harnessed to his chariot of vice and corruption, with the Chiefs of departments as his acting footmen and outriders.

A pitiable spectacle, as it is termed, of tinsel pomp, with the additional debasement of witnessing the majority of

our apparently helpless and inert citizens posing as a footstool, or being ground beneath the merciless wheels.

The old rookery in Fourteenth Street, the temple of farcical politics, whose roof covers the same gruesome proceedings which amply justify the criticism that "our politics are rotten to the core."

The Greater New York, which the author so deeply deplored and vigorously opposed, daily illustrating its inefficiency and inability to succeed; the alarming growth of the great trusts, which, as he said, were strangling the very vitality and manhood out of the people, making of them mere sullen slaves and human machines at the bidding of a few of the self appointed.

There remains apparently, as the author forcibly points out, no body of men strong and fearless enough upon whom we can rely to reinstate the fair fame of our city upon its rightful pinnacle. . . . save our honorable body, The Chamber of Commerce.

With no signs of improvement in evidence, there appears an added obligation for our citizens to study the impartial disclosures of the conditions of New York City misgovernment during the past thirty years up to the present, that they may consider the means to eradicate the roots of these poisonous growths, as fully presented to them through the medium of this volume.

M. T.



## SKETCH OF THE AUTHOR'S LIFE.

---

Hon. John D. Townsend, the distinguished New York lawyer, a native of that city and a descendant of one of its oldest and most aristocratic families, was born in 1835.

His father was also a leading member of the Bar, and the name John R. Townsend was its own commendation. Among the latter's close associates were Vice-Chancellor McCoon, Henry Nicoll, Charles O'Connor, William Mitchell, Francis B. Cutting, Cornelius R. Disosway, Stephen Allen, Gardner G. Howland, Albert R. Gallatin, Joseph Kernochan, William B. Astor, Mr. De Peyster, Mr. Delafield, Mr. Verplanck, and Mr. Gourlie.

He was highly revered as a scholar, a man of unblemished character and a staunch citizen. When his death occurred at the early age of forty-four years, regretted by all who had knowledge of him, he was the first President of the New York Life and Trust Co., and a man of wealth.

The subject of this sketch was intended by his father to succeed him in the legal profession, and when but thirteen years old entered Columbia College; but a determination to follow the sea interrupted his college course, and during the five ensuing years he visited almost every quarter of the habitable globe.

At twenty he was second officer of one of the finest clipper ships setting out from the port of New York—"The Flying Cloud"—which made the fastest sailing time from that city around the Horn to San Francisco ever known, eighty-nine days.

This visit to California made him what is now recognized as one of the "Forty-niners."

Upon attaining his majority he inherited a handsome property from his father, and invested his entire capital in a mercantile house, which eventually failed.

Mr. Townsend married Miss Delano Swan, of Boston, four daughters being born of the union. The failure occurring after his marriage, placed the necessity before him of making his way in the world and supporting a family, so the young man turned his attention to the law in accordance with his father's wish, studying diligently for three years in the offices of Messrs. Sprague and Fillmore, of Buffalo, followed by a two years' course in the Dane Law School of Harvard University and six months in the law office of Henry A. Cram, of New York City.

His admission to the Bar took place at Poughkeepsie in May, 1859.

From that time until 1865, Mr. Townsend resided in Astoria, L. I., and became actively interested in politics, his sympathies and efforts being always for the Democratic party.

During this period he represented Queens County in the Legislature and was the nominee of his party for the office of District Attorney. About the same time Governor Morgan selected him as one of a committee with Hon. John A. King, David R. Floyd-Jones and J. Platt Carle to organize a regiment from his Senatorial district to go to the war.

Later, Queens was in favor of his nomination for the State Senate, but having decided to remove to New York City he withdrew from the canvas.

For several terms Mr. Townsend was a delegate to the Democratic State Convention.

Throughout his legal career, a period of thirty odd years, he devoted himself assiduously and with marked success to his profession, a certain element of pugnacity in his disposition being a factor in this, and he became generally recognized as a difficult lawyer to defeat.

He was so thorough in the preparation of his cases that there were never any surprises for him; confident of what-

ever ground he assumed, legally and logically, he was ready to contest every inch of it with Bar and Bench, or both combined if necessary.

A tower of strength to his clients and a most formidable opponent, he acquired the sobriquet of "The Fighting Lawyer."

These qualities were early illustrated, when in 1869 he took the case of two women incarcerated in the Tombs prison by order of Judge Cardozo of the Supreme Court, nominally on the ground that they had committed a contempt in removing a child, then ward of the Court, from its jurisdiction, but in reality to gratify the wishes of Joseph Dowling, then a Police Magistrate.

Mr. Townsend satisfied himself that injustice was being perpetrated and sued out a writ of habeas corpus made returnable before Judge Cardozo.

The Judge and Dowling were boon companions, and the latter, calling Mr. Townsend to the Bench, warned him not to defend the women if he expected any favors from him.

The indirect threat only fired the lawyer's zeal, and after a hearing, Cardoza was compelled to order the prisoners' discharge.

In the young lawyer the Judge had awakened a lion, and through the press and in other ways, Mr. Townsend attacked Cardoza with such effect that others joined in the war upon existing corruption in the courts, and after some hard fighting Cardoza was impeached.

His fall was shared by two other corrupt judges, Barnard and McCunn, these also being impeached; and Dowling and seven other police justices were driven from their positions by the storm.

In the earlier period of his practice Mr. Townsend tried many criminal cases, and out of forty-five indictments for murder defended by him, but one of the parties was executed; this was Pellicier, convicted in the Supreme Court in Brooklyn of the killing of Señor Otero.

He was one of the counsel for Edward S. Stokes, tried for the killing of James Fisk; and was retained by Wm.

M. Tweed in the latter part of his life as his only counsel.

While John Kelly was in active political life, Mr. Townsend was his choice where proceedings affecting Tammany Hall were concerned, and it was Mr. Kelly's urgent wish for him to accept the nomination for the office of District Attorney in New York City, but his practice had become so absorbing that he preferred not to hold office.

In the removal of the late Sydney P. Nichols from his office of Police Commissioner, by Mayor Cooper, Mr. Townsend made perhaps his best professional fight.

Although opposed by many of the ablest lawyers at the Bar he carried the contest up to the highest court in the State, and not only succeeded in reinstating Nichols, but compelled the refunding of his salary.

He was selected by both the Democratic and the Republican members of the Assembly Committee, and for one year Mr. Townsend was entrusted with the examination of the District Attorney's office, the Police Department and the various branches of the city government.

This committee was appointed to inquire into and report to the following Legislature, the cause of the increase of crime in New York City.

A more thorough report was never handed to a Legislature than from this committee, but—it was made to a Republican Legislature, committed to a committee and never afterward saw light.

Among minor results were the removal of Commissioners Matsell and Disbecker, and some of the police captains.

In the legal controversy concerning certain payments to the police Mr. Townsend forced the matter to a just conclusion, and obtained back pay due to a large number of the force.

In almost all the important cases and affairs of his time he was actively engaged, especially where fearlessness and integrity were of paramount importance.

In latter years he devoted himself almost exclusively to practice in the civil courts.

Mr. Townsend may be described as broad and generous

in character; for the oppressed he had practical friendship and active sympathy, and in behalf of all classes that desire for full and equal justice that has often led him beyond the mere utterance of kindly feeling for the needy, or of stern rebuke to those who deserved it.

He was recognized as a strong character in every way; a man of versatile genius, a lover of right, and vehement against oppression in any form.

His commanding intellect brought him respect and admiration, as well as large fees for his services; but money seemed always the least consideration to him in his notable career.

Mr. Townsend's robust health seemed to fail him somewhat during the year preceding his death, though he continued in active practice until the very end, which came without warning at a dinner party given by intimate friends of his family, on Christmas night, 1896.



## INTRODUCTION.

---

WHEN the result of the election in New York in 1895 became fully known, the minds of our order-loving citizens were filled with gloom, while the faint-hearted among them yielded to discouragement. For one year we had enjoyed good government. Our streets had been clean, our police department had been faithfully administered and our new magistrates and other new incumbents of office had been painstaking and honest; nevertheless, a plurality of more than twenty thousand voters in this city appeared to prefer to return to the corrupt and unclean methods of the past. In reality the election was not an expression of the actual sentiment of the public, but had been brought about by the jugglery of unscrupulous "practical politicians," aided by some misguided men who failed to understand the duties of citizenship, and by some pusillanimous leaders to whom money has ever been a god.

For more than forty years the people of New York have been in the slough of absolute hopelessness concerning the government of their city. They have come to believe that a ray of sunshine in municipal affairs must invariably be followed by storm and destruction and they have lost heart to contend against such inevitable disaster. They have had no authentic inside history of the city government, but have understood in a general way that Tweed and his associates were bad men who brought disgrace and ruin upon us; but they have not known exactly how these wreckers secured their power. During the last half century faithful histories have been written of nearly every



place in the universe excepting New York City. In order that we may be able to emerge from the condition of servitude in which we have lived for forty years, we should know exactly what that condition has been and is and what has induced it. The same class of people who in the past brought disgrace upon themselves and our city, are disgracing us now; the same kind of dishonesty which in the past half century has made our municipal history too discreditable to be written, is mainly in existence to-day. Politicians have held many facts from the public concerning our officials and their friends which we had a right to know, and this secretiveness has been used to their advantage and the public's danger. The bolder of the men who were formerly the *servants* of the thieves in power, have found places in the front ranks and now hold the power themselves, while the sneaks and parasites who did the work for their leaders in Albany and with the boards of aldermen, may still be found fattening upon public spoils in the rear of the more audacious.

We require to go no further back into history than the days when Fernando Wood was mayor, for all the information concerning the misgovernment of New York which we require. It was during his administration that Tweed, Connolly, Hall, and Sweeney had their political start, which subsequently developed until they were the nominal heads of the Tweed Ring,—the greatest body of freebooters which the world has ever known.

In order to fully understand the import and full significance of the immense power which guided and to a certain extent governed the forces exerted by the Tweed Ring, it is well we should review the political and social condition of New York previous to and at the time it had its birth. It is a mistaken notion that the four men who nominally composed that "Ring" should be held liable for all the injuries that were inflicted upon New York while they were in power. During such period it is established that New York was defrauded of over \$30,000,000, and it is probable it was robbed to an even greater amount, which our descendants will have to meet. The causes which led to the formation of the "Ring" were



directly traceable to a weak administration of public affairs and a corrupt condition of society.

It may be deemed unwise by some people at this late day to lay open the past which in almost all respects was corrupt, but such reasoning under present conditions is fallacious. To make experience valuable, primary causes must be kept in view. We have passed from one political era to another, finding in each many of the same elements, and apparently we have not cared to look for the causes of the evils they have brought, nor have we sought by the aid of such knowledge to make their continuance impossible.

In the year 1894 New York was in the grasp of political sharks who were less intelligent, but no less unscrupulous, than their predecessors of 1870. They were more dangerous because they had acquired increased experience in the art of manipulation. In the election contest between them and the rest of our community in 1894 they were ignominiously defeated. No one doubted for a moment that they had been enriching themselves at the expense of the city, yet no serious effort was exercised to inflict punishment upon them, and the attempts that were made to discover how much had been stolen and by whom, were not properly supported. All this closely resembles the treatment given the Tweed Ring. Then the reasons for such leniency were numerous. The press, as well as many individuals of high standing, had, either intentionally or through misapprehension, aided and abetted the Ring, and naturally feared to share the ignominy of exposure. In 1894, however, the press stood united against the methods of Tammany Hall, and not even the great corporations which have always been the main support of the Croker administration, dared publicly to uphold it.

Believing that the great majority of human beings do not stop to consider what is best for their own welfare until their condition is forced upon them, the writer has undertaken to place a correct picture of New York as it has really existed politically during the past forty years, before the eyes of its citizens.



# NEW YORK IN BONDAGE.

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## CHAPTER I.

### FERNANDO WOOD'S ADMINISTRATION.

IN 1855 Fernando Wood was mayor of the city of New York. At that time the population did not exceed 630,000. Never had the city expanded so rapidly as it had up to the time of his accession to office. It had extended from Canal Street, which but a few years before had been the upper confine of the city, to Twenty-third Street, and the population was steadily increasing. The foreign commerce of the city which in 1850 amounted to \$260,000,000, had grown in 1855 to \$323,000,000. Under the influences which had controlled the administration of Mayors Westervelt and Kingsland, who immediately preceded Mayor Wood, the affairs of the city had been weakly governed. So freely had the foreign element of the population been used to advance political interests, and so many public offices had been filled with foreigners, that a feeling of antagonism between them and American citizens had become strong enough to render the police inadequate to hold them in check. From these and other causes the administration of city affairs became generally lax and unsystematized.

Fernando Wood was a mayor of different stamp from those who had preceded him. He was a thorough-going "practical" politician. Immigration to New York had been very great for a few years prior to his time, and he belonged to an organization which had made great use of

such foreign element—especially of the Irish portion—to advance its own political interests.

At this time aldermen were not considered reputable, and political influence shielded great criminals. Between the years of 1850 and 1859, 2,000,000 Irish and German immigrants arrived in this country and the larger proportion of them entered through the port of New York. As the natural alliance of the Irish, if not of the Germans, was with the Democratic party, their influence soon became apparent in the city's politics. Between 1820 and 1829 immigration to the United States amounted in all to 90,077; between 1829 and 1838 to 342,517, and between 1840 and 1849 to 1,161,564. The increase between the years of 1850 and 1859 to 2,000,000 of Irish and German immigrants alone, created much trouble in New York among politicians. As early as 1846, catering to the foreign vote had caused a break in Tammany Hall, and had resulted in the formation of the Native American Party, by whom James Harper was elected mayor. In Wood's time, however, bribery was a common evil, and the worst element of the population usually carried the elections in New York City. Fortunately the State was in the hands of a higher order of politicians, and in time the passage of the Metropolitan Police Bill did much to keep in check the vicious element of society, which was the controlling one under Wood. This element showed itself most prominently among the sporting fraternity. "Tom" Hyer and "Bill" Poole, who were then leading pugilists, were also leaders in the lower strata of the American Party and were designated "Know-Nothings." John Morrissey, another notorious pugilist, who more recently represented this city in Congress, and his associates, represented the Democrats. So bitter was the feud between these two parties that Poole was eventually murdered in a drinking place on Broadway, known as Stanwix Hall. Morrissey was not present when the killing occurred, but they were his friends who murdered Poole.

In Wood's time gamblers were allowed full swing. One notorious gambler, known as "Pat" Hearn, kept a house not far from Prince Street on Broadway. There, in 1855,

access could be gained with the same ease which later could be obtained to the gambling houses kept by John Morrissey in Saratoga.

Mercer, Green, Wooster, Houston, Leonard, Crosby and other streets were given up to houses of prostitution, nearly all of which were extravagantly furnished and fitted out with elaborate decorations, and were as open to the public as church doors. Sporting men like "Tom" Hyer, "Yankee" Sullivan, "Dutch Charlie," "Bill" Poole, John Morrissey and hundreds of the same ilk, controlled the drinking houses, and fights among them were given prominence to in the daily papers without producing any visible interest from the police.

Perhaps the condition of New York at this time can best be shown by quoting the language of Mr. Daniel MacLeod, who wrote the biography of Wood in 1856. He said:

"When Wood was first elected mayor, New York was a wild metropolis, wherein we were disappointed if we had not two or three murders or a spicy riot or two for breakfast entertainment.

"People rollicked in muddy streets; the press was filled with complaints of official corruption, useless expenditures of public moneys, overtaxation and improper contracting. The streets were filthy to an abominable degree, and the health of the city exceedingly endangered; paupers in myriads were emptied from polluted ships upon our shores, to become the prey of emigrant runners, or a burden upon the charities of the city.

"He (Wood) found the streets of this great metropolis ill-paved, broken by carts and omnibuses into ruts and perilous gullies, obstructed by boxes and sign-boards, impassable by reason of thronging vehicles, and filled with filth and garbage which was left where it had been thrown, to rot and send out its pestiferous fumes, breathing fever, cholera and a host of diseases all over the city. He found hacks, carts and omnibuses choking the thoroughfares, the Jehu drivers dashing through the crowds furiously, reckless of life; women and children were knocked down, trampled on, and the ruffians drove on uncaught. Hackmen overcharged and were insolent to their passengers;

baggage smashers haunted the docks, tearing one's baggage about, stealing it sometimes, and demanding from timid women and strange men unnumbered fees for doing mischief or for doing nothing at all; emigrant runners, half bulldog and half leech, burst in crowds upon the docks of arriving ships, carried off the poor foreign people, fleeced them, and set them adrift upon the town; rowdiness seemed to rule the city; it was at the risk of your life that you walked the streets late at night; the club, the knife, the slungshot and revolver were in constant activity; the Sunday low dramshop polluted the Sabbath air, disturbed the sacred stillness, and in the afternoon and night sent forth its crowds of wretches infuriate with bad liquor to howl and blaspheme, to fight or lie prone on the sidewalk or in the gutters.

“Prostitution, grown bold with immunity, polluted the public highways, brazenly insolent to modesty and common decency; and idle policemen, undistinguished from other citizens, lounged about, gaped, gossiped, drank and smoked, insolently useless upon street corners and in saloons.”

There could be no better authority on the subject of those times than the man who at the very time in question was writing the biography of Wood. Nothing appears in the history of that time to indicate that Mayor Wood did aught to ameliorate the fearful condition of public affairs. On the contrary, when it became apparent that the municipal police force was not strong enough to maintain order and the Legislature made provision to establish here the “Metropolitan” police, Wood opposed it even with violence.

The police system for which Wood contended came into existence in 1853. Its control was vested in a board, consisting of the Mayor, Recorder and the City Judge, and it was considered that the system worked well so long as the Recorder and City Judge found time to attend to police duties. Their judicial duties, however, soon rendered police requirements impossible to them, and the power of appointment and dismissal soon virtually lodged in the hands of the Mayor. It was the alleged abuse of this



power, and the rapid increase of population in New York and Brooklyn, which made it apparent that the police department should be under different control, and in 1857 the Legislature created a Metropolitan Police District, which embraced the city of New York and the counties of Kings, Richmond and Westchester. A Board of Commissioners to hold office for five years was appointed by the Governor, who also had the power to appoint the Chief of Police and the minor officers. Three Commissioners were to be from New York, one from Kings and one from Richmond or Westchester County. As may be imagined this act of the Legislature was a severe blow to Wood. He determined that he would not recognize the new department, and in this was sustained by George W. Matsell, his Chief of Police. He contended that the Act of 1857 was unconstitutional. Conflicts occurred, in several instances of which lives were lost and it was only after the Court of Appeals had determined that the Act was constitutional that Wood accepted the inevitable. When New York was in this condition, A. Oakey Hall was District Attorney. Tweed, who had already been an alderman, and had been to Congress, became a Supervisor in 1856. Sweeney was appointed Public Administrator by Robert J. Dillon, between 1853 and 1856, and Connolly, who had been County Clerk, became State Senator in 1860. These men were all members of Tammany Hall during Wood's administration. There was nothing in their antecedents which gave promise that the germ then formed would yield other fruit than was common to that soil. Tweed, a chairmaker's son, found his chief delight in early life in running with a fire engine. Sweeney, the son of a liquor dealer in Park Row, was a clerk in a lawyer's office and subsequently became a member of a respectable firm of lawyers in this city, but is said to have passed his spare time among the local politicians of that day. Connolly, who was early brought from Ireland by his brother, managed before he was hardly of age to be elected to the office of County Clerk. In those times these men were sustained by associates of their own position and rank in life, but the

time came when they clasped hands with the intellectual and the wealthy.

Owing to a division among his opponents, Fernando Wood was elected Mayor of New York a second time, in 1859. Every effort was made by the reform element to defeat him, but without success, and as a consequence all the reforms which had been hoped for were abandoned.

The rumbling which preceded the shock of civil war was heard, the political discussions waging began to assume serious form, and the ablest men in the country took sides upon the great issues involved. Fernando Wood, in his annual message to the Common Council (January 7, 1861), advocated the secession of New York, and urged that it should become a free city in case of a disruption of the Union. Such a suggestion expressed by the Mayor at a time when the country greatly needed loyalty, had the effect of convincing many ignorant people that they were suffering great injustice by the efforts of the Government to protect itself. Unquestionably the bitter feeling aroused against the negro population, and the riots which subsequently occurred, might, in a great measure, be traced to the disloyal utterances of Wood and his associates. So bold did he become in these statements that he was threatened by the Secretary of War with imprisonment.

It is not the purpose of the writer to dwell at any length on that trying period, which is mentioned only to show that the growth of political sentiment had the same kind of nurture as had been given the germ. Absolutely undemocratic in every respect, the aid of the vile and ignorant was sought, and their vicious acts were countenanced that their leaders might retain supremacy.

The Legislature of the State of New York responded to the call of the Government for men and money, as soon as it was demonstrated by the firing upon Fort Sumter that the day for negotiation had passed. The municipality of New York, which was in sympathy with Tammany Hall, then realized that the patriotic sentiment of the people had been aroused, and it also joined the forces which were marching on.



Fernando Wood became one of the vice-presidents of the first great war meeting, which was presided over by General Dix, on April 20th, 1861, and he then addressed the people of this city in most patriotic language, urging them to avoid excitement and turbulence and to unite in supporting the public peace.

The attitude of the mercantile portion of the country, particularly in New York, where money and men were furnished the Government, did much at this time to check the disorderly element in the city.

With the year 1861 Wood's term of office expired, and in 1862 George Opdyke succeeded him. Opdyke was a Republican and in sympathy with the sentiments of his party. His administration was beset by difficulties, for all the elements of ignorance and vice were arrayed against it and the Enrollment Act of March, 1863, which preceded the draft, was the basis upon which all the disloyal sentiment of the people was founded. The negro riots, the burning of the negro asylum, the brutal treatment experienced by those who were carrying out the laws, and the final suppression of the mobs by the police and home regiments of this city, are matters of general history. But while the loyal people of the North were engaged in preserving the life of the nation and the poor were becoming poorer, another portion of the community was already engaged in depraving the public through its judiciary.

## CHAPTER II.

## THE ERIE WAR.

A BRIEF history of what is known as the Erie War will serve to illustrate how the Tweed Ring united forces with Gould and Fisk. Tweed and Sweeney controlled Justices Barnard and Cardozo in the Supreme Court, and by the aid of these judges, Gould and Fisk controlled money, which was what was most desired by all. It is not improbable that the least one of these judges had been acting in the interest of Tweed and his associates prior to 1868, but it is necessary to refer only to that year and later, to confirm Tweed's testimony that there were mutual understandings between them.

The New York Erie Railroad was started in 1832, and the cost of its construction was originally estimated at \$3,000,000, of which but \$1,000,000 was subscribed. In 1842 the estimated cost had increased to \$12,500,000, and its means and credit had become almost exhausted. By 1851 the road had been opened from Lake Erie to New York. In 1859 it went into the hands of a receiver. In 1861, under foreclosure, the old New York Erie Railroad disappeared and the Erie Railroad succeeded. The \$3,000,000 estimate of 1832 had developed into an actual outlay of \$50,000,000, and the revenue which in 1832 had been estimated at \$2,000,000, amounted in 1859 when it passed into the hands of a receiver, to \$5,000,000, and in 1865

had reached the sum of over \$16,000,000. It was a magnificent enterprise and a fine field for speculation. The contest over the road ruined more reputations, destroyed more fortunes and developed more rascality than any one enterprise in this country. The men who were prominent in it were generally of common origin and vulgar proclivities, but they were shrewd and unscrupulous and possessed cunning in conjunction with daring qualities. Most prominent among them were Daniel Drew, Cornelius Vanderbilt, of New York, and John Eldridge, of Boston. Subsequently the control of the road passed into the hands of Fisk and Gould.

Drew began life as a farmer's boy in Carmel, New York, was proprietor of the Bull's Head Tavern in this city, became interested in a steamboat business and finally became a speculator in railway interests.

Vanderbilt began his career by ferrying passengers from Staten Island to New York and subsequently became a railroad magnate. His manipulations with the Hudson River Railroad and later with the Harlem had demonstrated his ability, and when the New York Central passed into his hands in 1866-1867 it became apparent that he would seek to control the Erie road,—that being his only competing line to the West.

At this time an Eastern man also had a speculative eye on the Erie road. He and his friends represented the old bankrupt corporation known as the Boston, Hartford and Erie Railroad Company. It was then under the management of John Eldridge, who had been able shortly before this to furnish it with another lease of life by obtaining from the Commonwealth of Massachusetts a subsidy in aid of the reconstruction of the road. In 1868 Vanderbilt and Eldridge turned their attention about the same time, to the election of directors in the Erie Company which was about to occur. At once they came in contact with Daniel Drew. The details of the combat between these great railway giants, which shook Wall Street to its centre for years, and which was sustained by all kinds of trickery, treachery and other similar dealing, in which contest first one and then another was success-

ful, are unnecessary for the purposes of this book. Tweed has stated that he was introduced to Fisk by Hugh Hastings, then editor of the *Commercial Advertiser*, and he in turn introduced Fisk to Barnard in 1868 or 1869.

That Cardozo was also friendly with Fisk and Gould and was equally willing to obey the behests of the Ring will appear. The perfidy and rascality of both judges were made more apparent in 1872 upon the examination of charges then made against them by a Legislative Committee. After the road had passed into the hands of Fisk and Gould in 1869, almost every judicial act demanded in aid of it was granted by one or the other of these judges. They were bought and sold like cattle. The proofs taken upon the impeachment trial of Barnard and the examination of charges against Cardozo, demonstrate that they not only received money for their services, but furniture and other personal property from both Fisk and Gould. Tweed testified before the Aldermanic Committee in 1877 that until he was introduced to Fisk and Gould he had acted for Vanderbilt in Albany, but he went over to Gould and Fisk because he and Sweeney were made directors in the Erie Railroad and stock was placed in their names for which they did not have to pay. The combination of Tweed and Sweeney with the Erie Ring and the Judiciary was then complete. To give some idea of the immense amount of money which passed into the control of the Ring, the following list taken from the Erie books is submitted to show the amounts put down as for "Legal Expenses" only, between 1868 and 1871. The list was placed in the hands of the writer by Mr. Tweed:

Jay Gould .....	\$586,000.00
James Fisk, Jr.....	193,410.43
William M. Tweed.....	105,662.86
Peter B. Sweeney.....	150,000.00
D. Drew .....	52,600.00
H. Harris .....	68,443.32
A. Van Vechten .....	12,500.00
H. Hastings .....	15,000.00
Henry Thompson .....	159,500.00

A. D. Barber .....	58,250.00
W. H. Vanderbilt .....	18,950.00
James O'Brien .....	2,500.00
S. J. Tilden .....	20,000.00
T. C. Fields .....	3,000.00
William P. Bemis .....	1,000.00
Senator Madden .....	1,000.00
Senator Humphreys .....	5,000.00
A Senator.....	1,000.00
Jordan & Marsh .....	44,000.00
Taylor's Hotel, Jersey City .....	6,410.75
The Delevan House, Albany.....	685.35

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\$1,504,912.71

To illustrate the character of the acts to which these judges lent themselves in the interests of Gould and Fisk, and also to show more of their association with the Tweed Ring, the following cases are quoted:

<p>SUPREME COURT,</p> <p>JAMES FISK</p> <p>vs.</p> <p>THE UNION PACIFIC RAILROAD Co.</p>	}	<p>This action was commenced in 1868.</p>
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In 1869 Barnard appointed William M. Tweed, Jr., son of William M. Tweed, receiver of the defendant on an *ex-parte* order and upon an unverified written report made by Tweed, and gave him authority to break open defendant's safe and take its property. There was nothing in the papers before the court to justify such an order.

<p>BRIGHT</p> <p><i>vs.</i></p> <p>THE MILWAUKEE &amp; ST. PAUL R.R. Co.</p>	<p>This action was commenced in 1868.</p>
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Barnard appointed James N. Sweeney, brother of Peter B. Sweeney, manager and receiver of a certain railroad mentioned in this complaint, which was 160 miles in length, and ordered that its directors turn its property over to him. The receiver was not required to give security. (Sweeney was then Clerk of the Superior Court.) The order was made on an affidavit made by the plaintiff upon information, and was granted without notice to the defendant.

<p>CHARLES OSBORN</p> <p><i>vs.</i></p> <p>THE GOLD EXCHANGE.</p>	<p>This action was commenced in 1869. The plaintiff was a broker for Fisk &amp; Gould.</p>
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In the fall of 1869 Gould and Fisk with others conspired to make illegal gains by a combined effort to raise the price of gold. In September, 1869, they forced gold up from \$1.33 to \$1.66, on which day sales were made at the Gold Exchange on account of Gould and Fisk for many millions of dollars. Suddenly the market broke and fell in a few moments from \$1.63 to \$1.33. The sales and purchases were between members of the New York Gold Exchange, which was an incorporated company, and had its own rules by which the adjustment and

settlement of transactions between the members were brought about. The great fall in the market had rendered Fisk and Gould liable to other members for many millions of dollars.

To escape this liability, to prevent the settlement by the Gold Exchange and to prevent the clearance by the Gold Exchange Bank, the plaintiff applied to Cardozo for an injunction restraining the bank from performing its functions, and appointing a receiver for it on the ground that it was insolvent. Plaintiff also applied for a further injunction to prevent the Gold Exchange from adjusting the claims against Gould and Fisk according to its rules.

Cardozo appointed a partner of A. Oakey Hall as receiver, and within two weeks ordered the defendants to pay him \$15,000 for his professional services and to pay another partner of Mr. Hall's \$5,000 for counsel fees. The receiver retired from his position in less than a month and another was appointed in his place, for whose services \$12,500 more were allowed. As this example is given only to show the combination which existed, it is unnecessary to refer to other portions of Cardozo's action in this case which were infamous in the extreme.

ELIZABETH R. BOWNE

vs.

JOHN LEVERICH AND ANOTHER.

In December, 1869, Cardozo, upon an *ex-parte* order appointed James M. Sweeney (brother of Peter B. Sweeney) a receiver, *ad interim*, of the real and personal property held by the defendants as executors and trustees, and an order was granted directing the defendants to show cause why a receiver should not be appointed during the pendency of the action. As it was shown upon the return



day that the property was in no danger, the order appointing the temporary receiver was vacated and an order granted directing the defendant to pay \$5,000 to the receiver for his fees, and \$3,500 for his counsel.

This chapter would be incomplete if other matters concerning the judges we are considering, were omitted.

If the corruption among judges had, prior to 1872, been confined to large stakes growing out of the railroad contests, some sympathy might have been extended to them because of the immensity of their temptations, but such was not the case. So generally and glaringly corrupt did they become that the Bar Association of the City of New York was compelled to take notice of their methods and addressed a memorial on the subject to the House of Assembly,—which was referred to the Judiciary Committee of that body. Specifications of charges were submitted against Hon. Albert Cardozo and Hon. George G. Barnard, Justices of the Supreme Court of the First District.

Cardozo was charged not only with corruption in his connection with Gould and Fisk matters, but with other wrongful dealings upon the bench, to wit:\*

“That he, the said Albert Cardozo, was guilty of *mal* and corrupt conduct in his office as Justice of said Supreme Court, in that, being such Justice he did at or about the dates hereinafter mentioned, on the application of Messrs. Howe and Hummel, Attorneys, finally discharge without bail the persons hereinafter mentioned, upon their being brought before him on writs of *habeas corpus*, they being at the time imprisoned, for the terms hereinafter stated, in the New York penitentiary on Blackwell’s Island, upon conviction by the Court of Special Sessions of the Peace, held in and for the City and County of New York, for the misdemeanors hereinafter stated.”

(Here follow the names of 142 persons with the offences with which they were charged, the dates of conviction and the terms of imprisonment. These terms of imprisonment

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\* See pages 8-12 and 504 and on, of “Charges of the Bar Association of the City of New York, against Justice Albert Cardozo, and Testimony Thereunder, before the Judiciary Committee of the Assembly 1872.”



in each case had not expired at the time of the prisoners' discharge.)

"That in case of each discharge, the said Albert Cardozo being such Justice, did conspire with the said Messrs. Howe and Hummel, to procure the prisoners to be brought before him, and did wilfully and corruptly discharge such prisoners without just, legal or any cause, as was then well known by the said Albert Cardozo, thereby not only permitting the unlawful release from imprisonment of persons legally imprisoned on final conviction, but co-operating with the said Messrs. Howe and Hummel, to enable them to coerce large sums of money from such persons in consideration of procuring such discharge, to the perversion and obstruction of justice and the due administration of law."

The case of James B. Carlisle aptly illustrates the method by which this business was accomplished, and was presented before the Assembly Committee and representatives of the Bar Association.

Carlisle was in trouble and his father engaged Howe and Hummel as counsel for him. Hummel demanded \$300 as a retainer, but the father could not raise that amount and Hummel accepted \$25. The trial came before Judge Dowling. Hummel advised that no witness for character should be examined and the young man was promptly convicted. Hummel then promised to have him discharged if the father would pay the sum he had originally demanded. This was done and the boy was discharged on *habeas corpus* by Cardozo.

The case of Adelaide Beaumont is another illustration: The woman was the keeper of a house of prostitution. She was brought before Justice Dowling and the same firm who had charge of young Carlisle's case were retained to defend her. Her offence was considered a light one, but she was convicted and Dowling sent her to Blackwell's Island for six months. It cost her more than \$3,000 to gain her release. She was discharged upon a writ of *habeas corpus* obtained by Howe and Hummel from Cardozo.

Much stronger proof than the foregoing was given

against Cardozo before the Assembly Committee, but as it was not furnished by the representatives of the Bar Association it did not appear on the report.

The Committee from the Assembly which heard the testimony submitted against Cardozo, in this city, consisted of L. Bradford Prince, Robert H. Strahan, W. W. Niles, Charles A. Flammer, Albert L. Hayes, C. P. Vedder, F. M. Tobey, Samuel J. Tilden and David B. Hill. In their report to the Legislature dated April 30th, 1872, this Committee uses the following language:

“Besides the testimony reported herewith, your Committee examined a considerable number of other witnesses in relation to matters which proved to have no important bearing on the alleged misconduct of the judges when the facts proven were satisfactorily explained by subsequent testimony. Not desiring to encumber the record with unimportant or immaterial matter, such cases have been omitted from the printed testimony.”

The writer of this book stigmatizes the above statement as misleading and absolutely incorrect. At the suggestion of one of the gentlemen who prosecuted Cardozo, as representing the Bar Association, the writer waited with his witnesses for nearly a week at the Fifth Avenue Hotel, expecting to be called by the Committee then sitting and hearing testimony there. He was informed that the Committee of the Bar Association considered the case he desired to present against Cardozo the strongest that had been obtained. Imagine his surprise when without notice to him these very gentlemen closed their case and left the committee room. When the writer learned of their action he went with his witnesses before the Assembly Committee and insisted upon being heard. His application was reluctantly granted. The case of a distinguished lawyer in his connection with Cardozo was presented, the witnesses were produced and testified to astounding rascalities between these people, and the Committee adjourned. A graver outrage than the one presented was never laid before any body of men, and yet their report made no mention of that case and Cardozo was saved from

impeachment, although this same committee reported in favor of such action.

The Bar Association has never called the attention of these gentlemen, who in its behalf conducted that prosecution, to the fact that some explanation of their action in that matter has long been due to the public as well as to the Bar.

The Bar Association brought charges before the same Assembly Committee in 1872 against George G. Barnard, Justice of the Supreme Court and Associate Justice with Cardozo.

Barnard also was charged with wilful and corrupt conduct as a judge. He had the same kind of association with Howe and Hummel as had Cardozo and the first specification against him was the same as that made against Cardozo. Barnard was also accused of corrupt conduct in connection with the Albany and Susquehanna and the English Erie stock litigations. He was accused of appointing favorites as referees and allowing them exorbitant fees, of granting excessive allowances to the injury of persons upon whom they were imposed, of collusion with James Fisk, Jr., in matters of litigation to the detriment of the public and of grossly indecorous conduct upon the Bench.

Upon all these charges he was brought to trial before the Senate of the State of New York sitting as a Court of Impeachment. On most of the specifications he was pronounced guilty and was thereupon removed from the high office he had disgraced.

## CHAPTER III.

## TWEED AS SUPERVISOR.

IT is in the Board of Supervisors of this county that we first hear of combinations formed by Tweed with his associates to defraud the city treasury. Tweed was elected a member of that Board when it was established in 1857, and he continued to be a member of it until his downfall in 1871. This Board was reorganized by the Legislature about 1859, when additional powers were given to it. In a reform movement among the Republicans at that time, it was deemed wise to divide the political strength of the Board equally, and it was then so constituted that it should consist of twelve members—six from each party. Tweed gave his testimony concerning the effect of this arrangement before a committee appointed by the Board of Aldermen to investigate the Ring frauds, in 1877.

He then testified that the Legislature, in 1859, gave the Board of Supervisors power to appoint inspectors of election, and that the first combination was made by the Democrats with one Republican (Voorhees) to control the inspectors. Voorhees was paid \$2,500 to remain away from the meeting when the election occurred. John R. Briggs, a Democratic supervisor, he said, made the arrangement with Voorhees, and Isaac V. Fowler (subsequently a defaulting postmaster of New York) raised the \$2,500 with which he was paid. Voorhees went out of office a year after he was guilty of that fraud (1860), and the Legislature then passed a law requiring seven votes in-

stead of six to appoint inspectors. During the following year, Tweed said, no arrangement to defraud was made, and shortly afterward the power of appointing inspectors was taken away from the Board of Supervisors.

As that combination of Democrats and Republicans had proved successful, Tweed soon after met other members of the Board, at the residence of Briggs, where they combined for the purpose of defrauding the city treasury. Tweed, in his testimony on the occasion referred to, mentioned John R. Briggs and Walter Roche as men upon whom he relied to join with him in all such frauds. These men were accustomed to meet with him daily in his office in Duane Street, and to discuss with him as to which of the claims presented to the Board of Supervisors they would allow. Tweed said there was hardly an occasion when their three votes would not pass what they desired. The arrangement they made was that they would vote for no bills out of which they could not obtain a certain percentage for themselves. He said he believed that in 1860, 1861, 1862 and 1863 no other member of the Board knew what their arrangement was, but that in 1864 Henry Smith, a new Republican member, was added to their force and in 1866 and 1869 other persons who had been then elected became members of their combine. At that time Tweed testified that Henry Smith usually collected the percentages from the claimants, but that sometimes he did so himself.

Tweed explained to the Board of Aldermen the *modus operandi* more particularly, by stating that nearly every person who had dealings with the Board of Supervisors soon found a friend in some member of their Ring, who informed him of the amount of percentage required before his claim would be passed. Until about 1870 these claims, Tweed said, had some foundation, and were to some extent *bona fide* claims, but that the amounts of the bills were all raised with the knowledge of the claimants, so that the Ring should receive fifteen per cent. of the full amount of them.

At this same hearing Mr. Tweed examined the following list of names and amounts, and said they had all been

approved by the Mayor in 1868, but that they were only a part of the bills which had been presented to the Board of Supervisors in that year:

George S. Miller.....	\$ 317,566.43
John H. Keyser & Co.....	261,104.83
J. H. Ingersoll (Furniture).....	1,063,498.27
A. J. Garvey (Repairs).....	646,516.56
J. T. Barnard & Son (Small bills)	10,079.30
Charles Jacobus (Small bills)...	3,210.92
E. V. Haughwout & Co. (Gas fixtures) .....	111,109.59
J. B. & W. W. Cornell (Ironware).	144,404.18
Rowe & Co.....	60,803.80
J. O. Seymour & Co. (Stationery).	154,241.04
Wm. C. Rogers & Co. (Stationery).	90,623.96
	<hr/>
	\$2,863,158.88

In those days all kinds of legislation appeared to find place, and the following is an illustration:

Chapter 586 of the Laws of 1867 is an Act entitled "An Act to enable the Board of Supervisors of the County of New York to raise money by tax for the use of the Corporation of the City of New York, and in relation to the expenditure thereof; and to provide for the auditing and payment of unsettled claims against said city and in relation to actions at law against said corporations." The bill passed April 23rd, 1867.

Under this act Richard B. Connolly, who was then Comptroller of New York, Chauncey M. Depew, Benjamin W. Bonney, William R. Stewart and J. H. Martindale, were created a Board of Audit for the adjustment and settlement of all legal or equitable claims and accounts outstanding prior to January 1st, 1867, against the Mayor, Aldermen and Commonalty of the City of New York. This act gave them power to determine what was due on each claim presented, and to certify to the Board of Supervisors the amount allowed by them with their reasons for such allowance. The Board was required to cause the



necessary amount to be raised by taxation upon real and personal property in the city, and the Comptroller was compelled to pay such amount. There was no appeal from the majority of the Board. The Act further provided that if any person who had a claim against the city, and either neglected or refused to present it to this Board within three months after the passage of this Act, he should be debarred from further prosecution or maintenance of any right of action he might have. The only claim which could escape adjustment by this Board was one which was actually in suit at the time the Act was passed.

For these services each member of the Board was to receive "ten dollars per day for each day of actual service," and they were empowered to employ a clerk at a salary not to exceed "five dollars for each and every day he shall be engaged in and about such matter."

In Section 28 of Chapter 806 of the laws of the same year, almost the same language is used in the appointment of the same gentlemen as in Chapter 586, and the same powers are given them, excepting they are directed by Chapter 806 to adjust claims against the *County*, while Chapter 586 referred only to claims against the *City*.

The Board organized very soon after the passage of these acts, and Mr. Chauncey M. Depew was chosen its president.

The first bill that was sent to the Supervisors by this Board of Audit was dated June 29th, 1867 (about two months after the bill had become a law), signed by Chauncey M. Depew, as President of the Board, by Richard B. Connolly as Comptroller, by B. W. Bonney, another member of the Board, and by Thomas Gilyan, clerk. It read as follows:

For salaries and expenses.....	\$29,360
Advertising .....	3,658
	<hr/>
	\$33,018

The bill was referred to the committee on annual taxes, which was then composed of William M. Tweed and Walter

Roche, who reported in favor of its payment on August 12th, 1867, all the supervisors having voted for its adoption.

It then went to Mayor Hoffman who refused to give it his approval, and on September 3rd, 1867, thus addressed the Board of Supervisors:

“The Legislature by a clause inserted in the tax levy created the so-called Board of Audit, and designated by name five persons who should compose it. It in effect took away from the Comptroller of the city the power as auditing officer of the same. It invested in this Board, so constituted, unlimited power to adjust and allow all claims, legal and equitable, against the city, and required your honorable body to raise by tax the moneys to pay all claims so audited, and all expenses incurred, upon a certificate of a majority of the Board; and it made it the duty of the Comptroller to pay these claims and expenses. It made the decision of said Board absolute and final against both the claimant and the city, thus giving to it greater power than was possessed by any court, except the court of last resort, for from its decision there could be no appeal, no matter how great the wrong or injury done to either the claimant or the city. The Board was authorized to appoint a clerk at a salary not to exceed five dollars a day for each day’s actual service, and each member of the Board was to receive ten dollars a day for each day of actual service. In the county levy a provision in all respects similar was inserted, the same persons being constituted a Board of Audit of claims against the *County* of New York, and the Supervisors being thus deprived of their lawful power as Auditing Board of the County.

“Soon after the passage of the two laws, the persons so designated organized under the same and appointed one person to act as clerk. The question of the constitutionality of the law and of the validity of the appointment by the Governor has been raised and argued, but the learned Judge who heard the argument without expressing an opinion upon either of these points, disposed of the case upon a technical objection merely.

“Upon the receipt of the ordinance, in order that I might understand *how the expenses of the Board for sal-*



aries only for eight (should be two months) months of the year 1867 could amount to \$29,360, I addressed a note to the President of the Board asking for information. I have received a reply signed by the Clerk of the Board, and written, as he states, by its direction, in which this first item of \$29,360 is stated to be made up as follows, viz.:

Salaries for the Board of Audit and Clerk for the <i>City</i> of New York.....	\$11,880
Salaries for the Board of Audit and Clerk for the <i>County</i> of New York.....	\$11,880
Messenger .....	1,200
Stenographer estimated .....	2,500
Assistant Clerk .....	1,500
Contingencies .....	40
	\$29,000

“It will be perceived at once this estimate is *founded upon the theory that the gentlemen who compose the Board of Audit for the City, and the Board of Audit for the County, with their Clerk, are to sit each day of the year in a double capacity and to draw double pay.*

“I think it unnecessary to argue that five gentlemen appointed by law to audit claims against the city and county of New York, at a salary of ten dollars each for each day’s actual service, and a clerk appointed by them at five dollars a day, *cannot do two days’ actual service and draw two days’ pay* each day of the year, simply because a *part* of each day might be devoted to claims against the city, and a part of each day to claims against the county.

“I am informed by a member of the Board that since its organization nearly four months ago there have been less than a dozen meetings, and I am confident no member of the Board would receive pay for any day except a day of actual service. I am at loss, therefore, to perceive why a requisition upon your honorable body for so large a sum should have been made.” This bill was never paid.

By the year 1868 Tweed had become a very important personage in city politics, and was not satisfied with the mere making of fifteen per cent. from fraudulent claims against the city. He had obtained control of the Board of Supervisors, he had a great deal to say about the elections, and he stood very high in the councils of Tammany Hall. He was anxious now to make a combination with a class of men through whom Tammany might rise to State if not to national importance. His immediate success and his personal ambitions were regarded with trepidation by his associates in the Board of Supervisors, and they hastened to unite with others to break down his power. To that end they formed an association called "The Young Democracy," whose rise and fall will be described later.

The names of the persons with whom Tweed was then treating and whose association brought about the formation of The Young Democracy, the purposes for which they combined and what was done in connection with it, may well be told in Tweed's own language. It is given by him before the Committee of the Board of Aldermen in 1877, and is contained in the statement which was sent by him to Attorney-General Fairchild, in 1877, when he applied to be discharged from Ludlow Street Jail.

## CHAPTER IV.

## THE TWEED RING—AS DESCRIBED BY TWEED.

HE said that the first meetings of the Ring were for political purposes; that they began when John T. Hoffman was Mayor of New York, and were composed of Charles G. Cornell (Street Commissioner), John T. Hoffman, (Mayor), Peter B. Sweeney, Matthew T. Brennan, and William M. Tweed. These gentlemen were in the habit of dining together in the keeper's room in the City Hall, where they promised fidelity and devotion to each other. These dinners were for social enjoyment, but political matters—such as measures for the benefit of the Democratic party and as to candidates for office—were discussed at them. He said that Mr. Sweeney was at the time not so regular in attendance as the others. As men vacated their official positions those who replaced them became members; for instance, George W. McLean succeeded Cornell as Street Commissioner, R. B. Connolly took Brennan's place as Comptroller, and Hall became Mayor in place of Hoffman.

Shortly after the succession of Hall to the office of Mayor these daily dinners were stopped, and no general meeting was held until the Auditing Board was appointed in 1870. Then Mayor Hall and Comptroller Connolly, with Sweeney as Chamberlain, and Tweed as Commissioner of Public Works, who formed the Board of Apportionment, began to have daily meetings in Tweed's office on Duane Street. Other meetings, he said, were

also frequently held at the offices of each of the other members. During the sessions of the Legislature Sweeney, Connolly, and Tweed often met at the Delevan House in Albany. A. Oakey Hall came from New York when notified that he was needed and remained as long as he was required. At such meetings matters affecting legislation for the city of New York were discussed; bills were examined and it was determined whether they should be opposed or supported. When it became necessary to raise money to pass a bill or effect legislation in any way Mr. A. D. Barber, a famous lobbyist, was consulted, and means were devised to raise the money needed for the purpose. Mr. Tweed stated in this connection that he generally acted as cashier and made the disbursements after consultation with Barber, who usually took charge of the Assembly members, while he personally took charge of the members in the Senate. It was on Mr. Barber's advice in such matters, Tweed said, that the Ring members mainly relied. The money with which to purchase legislation was raised by notes of one or more members of the Ring, made payable to the order of another member and discounted. These notes were afterward paid by moneys obtained from the city treasury. As Tweed remembered, some of the notes were discounted at the Central National Bank in New York, in which Connolly kept an account. Most of such notes, he said, were made by Hugh Smith, R. B. Connolly, and himself. Mr. Smith was a brother-in-law of Peter B. Sweeney and part of the time was Deputy City Chamberlain under him. Tweed said that Smith generally represented Sweeney in these matters.

He also testified that money for such purposes was at times also raised by application to persons with whom the Ring was doing business. Heads of departments who desired protection, or for sums of money to be appropriated in the tax levy and to be expended by their departments, were also notified how much money was required from them. They were given to understand that the sums so advanced would be reimbursed to them on the payment of the bills raised in the usual way.

Such heads of departments, he said, subsequently made

up, or allowed such bills to be made up and approved, although they knew they were fraudulent. As an illustration he gave the following example:

In 1871 the Commissioners for building a new Court House desired a large sum of money. Tweed therefore applied for \$1,000,000 and asked that such amount be inserted in the tax levy of that year. Great opposition was made by members of the Legislature to the admission of so large an amount. Tweed then made an arrangement with James H. Ingersoll, one of the Court House Commissioners, and was by him authorized to promise dissatisfied members of the Legislature fifteen per cent. of the gross amount, which should be inserted in the tax levy. To carry out this promise Ingersoll placed the sum of \$112,000 in Mr. Tweed's hands. It was raised as follows: Ingersoll's check for \$100,000 was made payable to W. R. King, who was Mr. Tweed's Deputy Commissioner of Public Works, and a subsequent payment in cash of \$12,000 was made by Ingersoll to Tweed. These amounts made the fifteen per cent. of \$750,000, which was eventually inserted in the tax levy. This money was paid to members of the Legislature partly by Tweed and partly through A. D. Barber, the lobbyist.

Tweed said that Ingersoll subsequently informed him that the money was borrowed by the Court House Commissioners,—viz.: Ingersoll, Coman, Norton and Walsh,—from the Tenth National Bank in this city and that it was part of the claim that such bank had against the city. He further testified that the moneys distributed among Connolly, Sweeney, Hall, Tweed and their agents (Woodward Watson, Hugh Smith and James Sweeney), and to the parties presenting bills, were raised on fraudulent claims, and were approved by the Board of Audit, or the Department of Public Works, or by the Comptroller, and that they were paid by the latter out of the City Treasury.

He testified further, that the claims were grossly exaggerated in amount, as was well known to all the parties who presented them. He stated that the bills were generally prepared and presented by James Watson or E. A. Woodward by the direction of the different mem-

bers of the Ring; and that the distribution of the moneys on them was mainly made by Watson and Woodward, Tweed and Connolly having general supervision over everything pertaining to this part of the business; and that all complaints from members of the Ring who deemed that their interests were infringed upon were made to him, Tweed. The first arrangement made, he said, was that each member of the Ring should receive ten per cent. of the gross amount of the bills presented and paid, and, he added, that after a few such bills had been paid, Hall was informed that it had cost so much to pass the Charter in Albany and for other legislation, that members of the Ring would have to be content with five per cent., and that subsequently Hall received only that sum. Woodward and Watson were afterward directed to pay Hall five per cent., Sweeney ten per cent., and to pay Connolly and Tweed each twenty-five per cent. This last arrangement was made, Tweed said, without the knowledge of Hall or Sweeney.

To Woodward and Watson was allowed all the interest collected on bills, and also a sum, not to exceed five per cent., which was to be divided equally between them. These percentages, amounting to sixty-five per cent. in all, were retained by the Ring, and the balance was paid to the parties holding the claims against the city. Tweed said that all the persons who presented claims and received money thereon were fully cognizant of the amount to be deducted from their bills and for what purpose it was to be deducted, but that they probably did not know in what ratio the retained percentages were paid. He said that Hugh Smith was in these matters the recognized agent of Mr. Hall, that James M. Sweeney, and sometimes Hugh Smith, were the recognized agents of Peter B. Sweeney. Tweed said that he was entirely familiar with these percentage matters because all complaints about them came to him and he had to adjust the difficulties. He testified on oath that he had had frequent conversations with the different members of the Ring in regard to this subject. He remembered distinctly that Hall had complained to him that his percentage had not been properly



adjusted and had refused to sign more warrants until the error was rectified. Sweeney also had spoken to him, he said, in reference to Mr. Hall's interests and also concerning his own. He said the complaints made were generally regarding delays in the payment of such interests. In describing the parts which appeared to be assigned to different members of the Ring, he said that Sweeney mainly took care of the election of candidates for judicial positions, that Hall was adviser on all legislation and other matters requiring legal skill and ingenuity, that Connolly was the financier and that he (Tweed) had general charge of all matters.

## CHAPTER V.

## THE YOUNG DEMOCRACY.

IN the latter part of 1869 or early in 1870, John Fox, James Hayes, John Morrissey, James O'Brien, Thomas J. Creamer, Harry Genet, Michael Norton and their friends, backed by Edward Jones & Co., the stationers, determined to overthrow Tweed and his new combination. This resolution was formed because they were alarmed at his growing power, and because they recognized the danger which might come to the Board of Supervisors, and it resulted in their combining under the name of The Young Democracy.

Tweed attributed the movement at its start to the greed of James O'Brien, then Sheriff, who was insisting upon having payments made to him much in excess of the allowances agreed upon. It is unimportant whether or not this belief was correct, for it was generally conceded that so far as the public was concerned it made but little difference which of the two factions was successful. Tweed was a member of the State Senate in 1870, and Harry Genet, Creamer and Norton were also members. For the first time in twenty-four years the Democrats controlled the Senate and the Assembly, and they also had the Governor. The majority, however, was very small. In the Assembly the Democrats had a majority of seven and in the Senate of only one. With the three votes of The Young Democracy against them in the Senate, it would have been impossible for the Ring to accomplish any great amount of



injury to the city unless its members could obtain their aid, or aid from Republican Senators.

Tweed had worked in the Senate, at different times, as representative of the Erie, and Central Railroads, and was entirely acquainted with the ways of doing business with members. The Young Democracy at first showed more strength than was expected, and at one time Tweed was seriously alarmed at the headway it was making. He was chairman of the Committee on organization in Tammany Hall in 1870, and in this capacity was compelled to call a meeting when a majority of the members demanded it. The Young Democracy showed its strength by being able to make this demand. He felt that if a meeting was then held great danger might be anticipated, and as usual he sought the assistance of a Republican to prevent it. He applied for aid to his old friend Henry Smith, who at that time was Police Commissioner, and he refused to allow the Tammany Hall building to be opened, on the ground that he feared a riot. Tweed took advantage of this, and while the Young Democracy Senators were absent in New York he had his charter, known as the Tweed Charter, introduced in the Assembly by his friend Alexander Frear, who had arranged for its passage there, and Tweed had already arranged through Mr. Hugh Hastings, who was a Republican editor in this city, that the charter should pass the Senate on payment of certain amounts of money to certain Republican Senators. These amounts were paid. Seeing their defeat The Young Democracy ceased its hostility, and only one of its members (Genet) voted against the charter.

In 1870 the power of the Ring had become supreme. It controlled the press and had brought to its assistance a class of people who were recognized in this city as exemplars of honesty, intelligence and refinement. It had arranged to satisfy the greed of its opponents, and it had wiped out the Board of Supervisors as then organized. In the Legislature it had purchased for itself absolute power over the person and property of our citizens, and had opened a market where much more legislation of a similar kind could be purchased for a like consideration.

Hoffman's march to the White House, and Hall's advancement to the Governor's chair appeared to be assured, and probably no Democrat could then have been found who would object to such arrangement, unless it was Samuel J. Tilden.

After the passage of this charter the Republican press began at once to claim that the success of the Ring in Albany had been brought about by its assistance. The *New York Times* first recognized the strength of the Ring, and claimed association with it. The charter was passed on April 5th, 1870, and on the 13th of the same month the *Times* referred to it as follows:

"It is also asserted that the Charter and Election Law could not have been secured without the help of the Republicans in the Legislature, and hence the credit is as much theirs as it is of the Tweed Democracy."

## CHAPTER VI.

### HOW CITIZENS AIDED THE RING IN 1870.

IF one circumstance more than another, aside from the payment of money to members of the Legislature, brought about the passage of the Tweed Charter, it was the combined efforts of respectable citizens of New York City. The following is a copy of one of their documents forwarded to the Senator in 1870:

#### PETITION OF THE CITIZENS' ASSOCIATION IN FAVOR OF THE TWEED CHARTER.

NEW YORK, Saturday, April 2d, 1870.

*To the Honorable The Senate of the State of New York:*

We, the undersigned citizens and property owners of the City of New York, respectfully petition your honorable body in favor of the passage of the bill entitled "An Act to reorganize the local government of the City of New York;" which passed the Assembly March 30th, 1870. We consider that this bill should receive the support of all who desire to give to New York City a symmetrical and honest local government.

Moses Taylor,  
Edwin Hoyt,  
Richard Mortimer,

H. F. Morgan,  
George D. H. Gillespie,  
Edward Cromwell,

Horace B. Clafin,  
 Benjamin H. Hutton,  
 James M. Constable,  
 Joseph Stuart,  
 Henry Ball,  
 C. T. Cook,  
 William Brenton Greene,  
 Joseph L. Spofford,  
 Parker Handy,  
 E. B. Monroe,  
 Thomas Patton,  
 Swan & Miller,  
 Arnold & Constable,  
 J. & J. Stuart & Co.,  
 T. C. Merrill,  
 George W. Smith,  
 H. P. DeWolf & Co.,  
 Isaac H. Walker,  
 Thomas & Benham,  
 J. Howe & Co.,  
 Hermance & Manton,  
 Allen, Hay & Co.,  
 William Wood,  
 Abbott & Moore,  
 B. L. Solomon & Sons,  
 Edward H. Bulkley,  
 H. B. Clafin & Co.,  
 Benkard & Hutton,  
 Clarke, Clapp & Co.,  
 Woodruff & Robinson,  
 W. & J. Sloan & Co.,  
 Morton, Bliss & Co.,  
 L. Roberts & Co.,  
 Theodore De Houde,  
 Osborn & Cammack,  
 John A. Parker,  
 F. B. Tappan,  
 J. D. F. Lanier.  
 Richard Arnold,  
 David Stewart,

Ebenezer Monroe,  
 C. L. Tiffany,  
 Charles G. Landon,  
 John P. Paulinson,  
 William L. Jenkins,  
 Sheppard Knapp,  
 C. B. Stockwell,  
 Richard Perrin,  
 David Dowes & Co.,  
 Ball, Black & Co.,  
 Henry T. Anthony,  
 Edward Anthony,  
 G. C. Allen,  
 Henry D. Tarbell,  
 Samuel W. Barnard,  
 Frederick Sherwood,  
 Erastus Titus,  
 Robert Campbell,  
 Edward Willis,  
 James Hollis,  
 Peter Moller,  
 William Oothout,  
 Naylor & Co.,  
 George W. Collis,  
 Berthold Schlesinger,  
 Andrew Gilsey,  
 William M. Vermilye,  
 William Bloodgood,  
 Sutton, Browne & Co.,  
 E. C. Chick,  
 A. S. Foster,  
 D. M. Seman,  
 V. K. Stephenson & Son,  
 Potter Brothers,  
 Lockwood & Co.,  
 Theodore M. Morgan,  
 Ely Hubbard,  
 Puliston, Raymony & Co.,  
 Robinson & Suydam.

It is not intimated that all the signers of the foregoing petition indorsed it with a knowledge of what they were doing,—but injury may be produced as well through ignorance as by fraud, and a man who would sign a petition to the Legislature for the passage of a charter which affects the very life of a city government, without knowing for what he is asking commits an act dangerous to the public, because the respectability of his name gives weight to the petition.

That petition at once gave character to Tweed's charter. It closed the eyes of citizens who might have examined it more carefully had it not been so well endorsed. It formed excuses for members of the Legislature who took bribes to pass it. It enabled Tweed to purchase other legislation for carrying out the intention of the charter more completely, and generally gave an appearance of respectability to the Ring, thus enabling its members to escape detection longer than would otherwise have been possible. This charter passed the Assembly with but seven adverse votes, through the liberal use of money and after an agreement had been effected between Tweed and the Republicans that Mayor Hall should appoint Henry Smith and Benjamin F. Mannierre as members of the new Police Commission. They were subsequently appointed by Hall as agreed upon.

This charter was needed for the following purposes:

First: To cover up past frauds; second, to enable the Ring to commit new ones; third, to prevent the election of persons not in the Ring, and fourth to protect from punishment people who had been guilty of crime.

To forward these designs A. Oakey Hall, who was then Mayor, was given the appointment of all heads of departments. Without consulting a human being, he could, under that charter appoint:

The Comptroller,  
 The Corporation Counsel,  
 Four Police Commissioners,  
 Commissioner of Public Works,  
 Five Commissioners of Public Charities and Correction,  
 Five Commissioners of the Fire Department,

Four Commissioners of Public Health,  
Five Commissioners of Department of Public Parks,  
Five Commissioners of Public Docks,  
Two Commissioners of Public Instruction,  
One Superintendent of Buildings.

In effect Mayor Hall then constituted the entire city government. He alone could compel the heads of departments to report their condition. This charter took away from the courts the power of appointing their own officers and gave it to the Comptroller. It was intended by it that the city government should always be vested in some one or more of the four members of the Ring. The Comptroller could pay the court officers such salaries as he thought proper, and thus hold them under Ring control. The salary paid to the Civil Justices was at a rate to be fixed by the Mayor and Comptroller, not to exceed that paid to Police Magistrates. The annual salary paid to Police Magistrates was \$10,000. They could therefore fix the annual salaries of the Civil Justices at any such amount as they thought proper, not to exceed \$10,000, and this power kept these justices within their control.

By another provision the Mayor could designate what Police Justices should hold the Special Sessions Courts, and thus he was enabled to place his particular friends where they could best protect the interests of the Ring.

Prior to the passage of that charter the Board of Aldermen was clothed with certain legislative powers. Nearly all of these powers were taken away by the charter and conferred on Hall, Connolly, Sweeney and Tweed. It took away the right of the Board of Aldermen to pass upon the expenditures of the various departments, and conferred that power upon these four men. By its provisions the Common Council, which was elected for the very purpose of protecting the interests of the city against fraud and corruption, could do nothing to save the city from impending bankruptcy.

By this charter the Mayor might appoint heads of departments for four, six, or eight years, and if he should die or was travelling another one of the Ring (the Comptroller) could still make the appointments.



What was not obtained by the Ring through the charter, which was passed April 5th, 1870, was secured on April 26th by an Act purporting to be a tax levy for the City of New York.

After the passage of the charter, the Common Council had still power to take charge of the streets below Fourteenth Street, but by the Act, called the Tax Levy, that was taken away, and conferred upon these four men. To the Ring was also given the power of deciding, without appeal, what appropriations were required by any of the City or County departments.

The charter had hardly passed when the Board of Audit, composed of Hall, Tweed and Connolly, which was authorized by such charter, met and held their first and last meeting. They audited and allowed \$6,312,000 for claims against the city, of which scarcely ten per cent., as was afterward discovered, was due by the city. Under authority of the Charter and Levy of 1870, in all nearly \$15,750,000 of fraudulent bills were settled. Tweed received 24 per cent. as his share of the \$6,312,000, and the balance of the percentages was divided among others of the Ring and parties connected with the steal.

In the fall of 1870 a large part of the community realized that immense frauds were being practiced, and they prepared to make a fight against the Ring at the coming election.

To meet this danger the members of the Ring induced Messrs. John Jacob Astor, Moses Taylor, Marshall O. Roberts, George K. Sistare, E. D. Brown and Edward Schell, all of whom were men of high standing in the business community, to visit the Comptroller's office and then to sign a paper of commendation of Comptroller Connolly's administration of his office. Such a certificate was dated November 1st, 1870, and was published just before election, in the daily papers. In it these gentlemen declared that they had made an examination of the

condition of the finance department, that the office was thrown open to them and all the account books, securities and records of said department and sinking fund were admitted to their inspection and examination; and they gave it as their opinion that, under the arrangements then being carried out by Connolly, the entire debt of the city would be extinguished in twelve years. They added:

*“And we further certify the account books of the department are faithfully kept, that we have personally examined the securities of the department and sinking fund and found them correct. We have come to the conclusion and certify that the financial affairs of the city under the charge of the Comptroller are administered in a correct and faithful manner.”*

As was of course intended, this certificate inspired the public with confidence and had the effect of electing the Ring candidates by large majorities. In view of the fact that in the early part of that same year, \$15,000,000 had been paid out by this same Comptroller on fraudulent claims, it would seem that these gentlemen carelessly sacrificed the public moneys to the mere advertisement of their own names. This certificate was a godsend to the Ring, and to those who were drawing sustenance from it. The press of New York had been drawing pap to an enormous amount and was prepared to boom the certificate to any extent. According to the report of the Investigating Committee of Supervisors, Aldermen and Associated Citizens, in October, 1871, which was known as the Booth Committee, the City and County together paid for advertising to different newspapers in the city of New York, during the years 1869, 1870, and until September 16th of 1871, the almost incredible sum of \$2,703,308.49.

The failure to impress strongly upon public officials the necessity of enforcing taxes in the years 1868, 1869 and 1870 might have rendered some of the wealthy citizens of New York rather more inclined to be satisfied with Ring rule than they otherwise would have been. The same committee (Booth) also reported that a large amount of taxes remained uncollected in those years, and mentioned as unpaid:



Taxes on personal estate in 1868..	\$881,495.08
Taxes on personal estate in 1869..	628,719.44
Taxes on personal and real estate in 1870 .....	907,158.86

It also suggested that there was altogether too much willingness in the courts to vacate assessments.

At all events the Ring started out in 1872 under the most encouraging auspices. As an accompanying document to the certificate of honesty given by Mr. John Jacob Astor, Moses Taylor and their associates, to Richard B. Connolly, in 1870, the following paper, which was also circulated in 1870 as a certificate for Tweed, appears appropriate:

“TESTIMONIAL ASSOCIATION OF THE CITY OF NEW YORK.

“PRESIDENT, EDWARD J. SHANDLEY, Oriental Club Rooms,  
235 East Broadway.

“SECRETARY, JOSEPH H. TOOKER, 24 Norfolk Street.

TRUSTEES.

A. Oakey Hall,  
Peter B. Sweeney,  
Matthew T. Brennan,  
Richard B. Connolly,  
James O'Brien,  
Henry Smith,  
James N. Sweeney,  
Michael Norton,  
Thomas J. Creamer,  
John J. Bradley,  
Henry W. Genet,  
Charles E. Low,  
Joseph Lyons,  
Joseph Dowling,  
Charles Gaussmann,  
Oswald Ottendorfer,  
Bernard Smythe,  
George W. Butt,  
Walter W. Price,

John Scott,  
Timothy Campbell,  
Michael Healy,  
Michael Madigan,  
Charles H. Hall,  
Patrick H. Kiernan,  
Charles P. Daly,  
Albert Cardozo,  
Thomas Coman,  
Eugene Darnier,  
J. Walker Fowler,  
Edward Bassford,  
John Cox,  
William J. Kane,  
William O. Roberts,  
James Watson,  
Richard O'Gorman,  
Isaac Bell,  
William Miles.

“The association has for its object the erection of a statue of Senator, The Honorable William M. Tweed, in consideration of his services to the Commonwealth of New York. If the project meets your approbation, be pleased to contribute to the fund established for its accomplishment.

“Subscriptions should be forwarded to Bernard Smythe, Receiver of Taxes, office 32 Chambers Street. Acknowledgment will be made through the medium of the press and by a receipt signed by the President and Treasurer.”

A copy of the above was published in the *Evening Post*, in 1870, and severely commented upon.

## CHAPTER VII.

## CITY OFFICIALS IN 1870.

As it would be well to remember who were the principal officers under pay in the City and County of New York in 1870, the following list is given:

A. Oakey Hall,	Mayor.
Daniel S. Hart,	First Marshal.
Gustavus D. Cardozo,	Chief of Ordinance Bureau.
Charles O. Joline,	Chief Clerk.

## FINANCE DEPARTMENT.

Richard B. Connolly,	Comptroller.
Richard A. Storrs,	Deputy Comptroller.
Charles W. Lawrence,	Clerk to Comptroller.
Thomas Dunlap,	Collector of City Revenue.
Richard Croker,	Superintendent of Market Rents and Fees.
Bernard Smythe,	Receiver of Taxes.
Joel A. Fithian,	Asst. Receiver of Taxes.
A. S. Cady,	Clerk of Arrears.
William A. Herring,	Auditor of Accounts.
J. Townsend Connolly,	First Asst. Auditor of Ac- counts.
John J. Bradley,	City Chamberlain.
James M. Sweeney,	Deputy City Chamberlain.

## LAW DEPARTMENT.

Richard O'Gorman,	Corporation Counsel.
Thomas C. Fields,	Corporation Attorney.
Andrew J. Rogers,	Public Administrator.

## COMMISSIONERS OF POLICE.

Joseph S. Bosworth,	Henry Smith,
Thomas J. Barr,	Benjamin F. Mannierre.

## DEPARTMENT OF PUBLIC WORKS.

William M. Tweed,	Commissioner.
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## COMMISSIONER OF CHARITIES AND CORRECTION.

James R. Nicholson,	Isaac Bell,
James Bowen,	Owen W. Brennan,
	Alexander Frear.

## FIRE COMMISSIONERS.

William Hitchman,	John J. Blair,
James Galway,	Alexander Shaler,
	James S. Hennessey.

## COMMISSIONERS OF HEALTH.

Stephen Smith,	Giovanni Chocarini,
Magnus Grosse,	John McMaly.

## COMMISSIONERS OF PUBLIC WORKS.

Peter B. Sweeney,	Henry Hilton,
Robert J. Dillon,	Andrew H. Greene,
	Thomas C. Fields.

## BOARD OF ALDERMEN.

William H. Charlick,	Thomas Coman,
Edward Cuddy,	James D. Diamond,
Emanuel B. Hart,	James Irving,
Lawrence R. Jerome,	James McKeever,
George H. Mitchell,	Bernard O'Neill,
George W. Plunkett,	Bryan Reilly,
Edward Schlishting,	Edward Welsh,
	Henry Woltman.

## SHERIFF'S OFFICE.

James O'Brien,	Sheriff.
Joel O. Stephens,	Under Sheriff.
James Maxwell,	Asst. Under Sheriff.
James B. Price,	Clerk.
Charles W. Welsh,	Clerk.
John E. McGowan,	Clerk.
Thomas A. Bancker,	Deputy Sheriff.
Lawrence Delmour,	" "
Bernard Reilly,	" "
James J. Gumbleton,	" "
Joseph Dempsey,	" "
Ignatius Flynn,	" "
Bernard Costello,	" "
Peter Bowe,	" "
Jacob Seebacker,	" "
George E. Hickey,	" "
Anthony Miller,	" "
Peter J. Hanbury,	" "
James Dunphy,	" "
Bernard O'Neill,	" "
James Ryan,	" "
John Brice,	" "
Peter McKnight,	" "
John J. Scannell,	" "
William H. Shields,	" "
John M. Tracy,	" "

## SURROGATE'S OFFICE.

Robert C. Hutchings,	Surrogate.
S. D. Van Schaick,	Chief Clerk.
Morgan A. Dayton, Jr.,	Clerk to Surrogate's Court.
George S. Abrahams,	Probate Clerk.
Augustus W. Oliver,	Administration Clerk.
James J. Traynor,	Guardian Clerk.

## REGISTER'S OFFICE.

Michael Connolly,	Register.
John Y. Savage,	Deputy Register.
William F. Gilley,	Asst. Deputy Register.
Charles Blauvelt,	Satisfaction Clerk.
David Lenox,	Examiner.
Charles E. Connolly,	Chattel Mortgage Clerk.
Patrick Harrington,	Collector.

## CORONER'S OFFICE.

William Schirmer,	Coroner.
Patrick H. Keenan,	Deputy Coroner.
Nelson W. Young,	“ “
Gussen N. Hermann,	“ “

## SUPREME COURT.

George G. Barnard,	Daniel P. Ingraham,
Albert Cardozo,	Josiah Sutherland,
	John R. Brady.

## CLERKS OF SUPREME COURT.

Robert L. Catt,	Law Clerk.
Edward L. Kent,	Equity Clerk.
D. W. Clark,	General Term Clerk.
G. W. Hardy,	Special Term Clerk.
Richard C. Beamish,	Chambers.
Daniel Scully,	Circuit Part First.

William E. Haskins,	Circuit Part Two.
Thomas F. Gilroy,	“ “ Three.
Michael Redding,	Recording Clerk.
Henry Kitchell,	“ “

SUPERIOR COURT.

John M. Barbour,	Chief Justice.
Claudius L. Monell,	Judge.
John McCunn,	“
Samuel Jones,	“
John F. Freedman,	“
James C. Spencer,	“

CLERKS.

James M. Sweeney,	Clerk.
Joseph Meeks,	Dep. Clerk.
Charles E. Wilbur,	Stenographer Clerk.

COMMON PLEAS.

Charles P. Daly,	Chief Justice.
Hamilton W. Robinson,	Judge.
Charles H. Van Brunt,	“
Frederick W. Lowe,	“
Richard L. Larremore,	“
Joseph F. Daly,	“

CLERK.

Nathaniel Jarvis, Jr.

MARINE COURT.

Henry Alker,	Chief Justice.
Michael C. Gross,	Justice.
George M. Curtis,	“
George Shea,	“
Philip J. Joachinson,	“
William H. Tracy,	“

## CLERK.

Lawrence Clancy.

## COMMISSIONER OF JURORS.

Douglas Taylor.

## COUNTY JAIL.

John M. Tracy,

Warden.

## COMMISSIONERS OF TAXES AND ASSESSMENTS.

George H. Andrews,  
Thomas J. Creamer,William H. King,  
Nathaniel Sands.

## BOARD OF EXCISE.

John H. Williams,  
David F. Freeman,  
Martin Natchman.President.  
Treasurer.

## COMMISSIONERS OF EMIGRATION.

Isaac Bell,  
Emanuel B. Hart,  
James H. Nicholson,  
Alexander Frear,Willie Wallach,  
James W. Husted,  
William R. Barr,  
Andreas Willman.

## COMMISSIONERS OF QUARANTINE.

Richard Schell,  
A. N. Bell, M.D.,President.  
Samuel Barton.

## COMMISSIONERS OF STREET CLEANING.

A. Oakey Hall,  
John K. Hackett,Commissioner.  
“



Richard B. Connolly,	Commissioner.
Richard O'Gorman,	“
Joseph S. Bosworth,	“
Charles O. Joline,	Secretary.

HARBOR MASTER.

J. E. Jones,	Captain of the Port.
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GENERAL SESSIONS COURT.

Hon. John K. Hackett,	Recorder.
Hon. G. S. Bedford,	City Judge.
Samuel B. Garvin,	Dist. Atty.
John R. Fellows,	Asst. Dist. Atty.
William M. Tweed, Jr.,	“ “ “
Algernon S. Sullivan,	“ “ “
Henry Vandervoort,	Clerk.
John Sparks,	Dep. Clerk.

POLICE COURT.

Joseph Dowling,	James Coulter,
John Cox,	Butler H. Bisby,
Thomas A. Ledwith,	Edward Hogan,
John McQuade,	John Scott,
	Edward J. Shandley.

JUSTICES OF DISTRICT CIVIL COURTS.

Dennis Quinn,	Justice.
Thomas Kivlin,	“
J. Walker Fowler,	“
Anthony Hartman,	“
Joseph Koch,	“
Thaddeus H. Lane,	“
Joseph McGuire,	“
William J. Kane,	“
Josiah Porter,	“

## BOARD OF SUPERVISORS.

John Fox,  
Andreas Welmann,  
James Hayes,  
Andrew Bleakley,  
Gerson M. Hermann,  
Orson Blunt,

John Brice,  
William M. Tweed,  
Isaac J. Oliver,  
Walter Roche,  
Henry Smith,  
Smith Ely, Jr.

## CHAPTER VIII.

## LEADING CITIZENS IN 1871.

By Chapter 583 of the Laws of 1871, Hall, Connolly, Tweed and Sweeney were created by the Legislature a Board of Apportionment. After providing for the payment of principal and interest on Bonds and for State Taxes, etc., the Board was authorized, *if the members all agreed, to apportion the remainder* (the money raised under the two per cent. Act) *as it thought proper among the various Departments and purposes of the City and County government.*

Having obtained the power in 1870 to legislate for everything they wished, they sought by this provision, in 1871, for power to appropriate everything they wanted.

The Executive Committee of the New York City Council of Political Reform held a meeting at Cooper Institute on the 4th of April, 1871, to protest against the passage of this bill. The meeting was very largely attended and was enthusiastic. It was called to order by Mr. William E. Dodge, and William F. Havemeyer presided. To destroy any effect which this meeting might have upon the action of the Legislature, other men, whose names stood equally high, petitioned the Senate for the passage of the same bill.

The names of the Vice-Presidents and Secretaries of the meeting held at Cooper Union, are first given below, and following those is the petition alluded to and the names of the signers thereto.

The lists of names are given to show how utterly impossible it was at that time for the poor and uneducated to know where to look for honest example. The names of the Vice-Presidents and Secretaries at the meeting held in Cooper Union are as follows:

#### VICE-PRESIDENTS.

William E. Dodge,	Lemuel Bangs,
John C. Greene,	Pitt Cooke,
William H. Aspinwall,	Alfred Parmele,
Henry Grinnell,	Henry A. Oakley,
John Taylor Johnson,	W. P. Palmer,
Stewart Brown,	John Brooks,
Joseph W. Alsop,	Rush C. Hawkins,
Howard Potter,	J. Hugh Peters,
J. M. Brown,	A. B. McDonald,
William Tracy,	Theodore A. Dwight,
Frederick Talmage,	Charles Abernethy,
John D. Jones,	Thomas C. N. Baton,
Simeon Baldwin,	Thomas E. Clerke,
Charles Watrous,	Mark M. Stanfield,
William Cullen Bryant,	Robert Carter,
J. Stuart,	J. F. D. Lanier,
Charles Baker,	H. N. Fahnestock,
Calvin H. Hurlbut,	Thomas Hillhouse,
Ebenezer Monroe,	Thomas C. Bates,
D. D. Lord,	J. J. Flannigan,
James Lenox,	W. F. Hayes,
William T. Blodgett,	W. H. Ross,
Edward Mackey,	D. B. Keeler,
Parker Handy,	John E. Williams,
Willis Gaylord,	Allen Hay,
Henry Clews,	W. C. Gilman,
Jackson S. Schultz,	Charles A. May,
John Harper,	R. W. Hawes,
Henry Nicoll,	William Whiteright, Jr.,
Horace Greeley,	Inslee A. Hopper,
O. E. Wood,	Alfred Douglas,
David Hoadly,	J. H. Ransom,

John D. Paulison,	William A. Paton,
Isaac H. Walker,	Henry Hennequin,
F. S. Fowler,	Max Stadler,
John D. McCandless,	Henry M. Taber,
S. H. Wales,	Charles F. Allen,
Alfred Edwards,	Charles P. Kirkland,
Oliver Harriman,	Charles Dennis,
William Kobbé,	Alexander Hamilton, Jr.,
C. W. Cox,	Alexander Meehoy,
Isaac H. Baily,	O. D. Munn,
P. H. McCurdy,	Thomas Denny,
John E. Parsons,	William Post,
Sheppard Knapp,	William S. Holt,
Ambrose C. Kingsland,	J. Lathrop,
J. H. Ganlie,	W. B. Crosby,
Josiah Lane,	J. Pierpont Morgan,
Ethan Allen,	W. T. Booth,
	J. E. Stuart.

SECRETARIES.

John Clews,	John E. Parsons,
D. Willis James,	Samuel J. Classey,
Lloyd Aspinwall,	John P. Paulison,
Charles Dennis,	John D. Jones,
George Bliss, Jr.,	Isaac H. Walker,
John A. Foster,	J. C. Holden,
W. H. H. Moore,	Henry Almee,
Cephas Brainard,	Thomas Hillhouse,
	Rush C. Hawkins.

THE PETITION TO THE SENATE.

NEW YORK, March 1, 1871.

*To The Honorable The Senate and the Assembly of the State of New York:*

The undersigned, who are interested in the reduction of Taxation in the City of New York, either as property

owners or rent payers, believe that the passage of the bill before the Legislature of the State of New York, entitled "An Act to Provide for the Government of the City and County of New York," of which bill a copy is annexed to this petition, would effect a limitation of taxation and economy of expenditure, and would check the increase of the City and County debt, respectfully petition the honorable, The Legislature of the State of New York, that the bill may at an early day become a law.

Edwin Hoyt,  
 Robert Lennox Kennedy,  
 Seth B. Hunt,  
 Jacob D. Vermilye,  
 Charles Tracy,  
 Richard Mortimer,  
 Peter Gilsey,  
 Benjamin B. Sherman,  
 Murry Hoffman,  
 John Bridge,  
 Daniel Parish,  
 Henry Ivison,  
 Cyrus Curtis,  
 Samuel V. Hoffman,  
 Courtland Palmer,  
 William H. Lee,  
 William T. Blodgett,  
 John A. Weeks,  
 Spofford Brothers & Co.,  
 John O. Jones,  
 A. A. Thomson,  
 Herring, Farrel & Sherman,  
 George D. H. Gillespie,  
 Robert Mackie,  
 William H. Guion,  
 Andrew Gilsey,  
 William L. Jenkins,  
 William A. Booth,  
 Reuben W. Howe,  
 Edward Matthews,

George S. Cox,  
 Morris K. Jessup,  
 Thomas H. Faile,  
 William H. Macy,  
 Peter Cooper,  
 Anthony Halsey,  
 Robert B. Lowery,  
 Samuel D. Bernard,  
 Edward N. Tailor, Jr.,  
 Moses G. Baldwin,  
 Andrew V. Stout,  
 Henry A. Burr,  
 Harris Colt,  
 William Thompson,  
 Alexander Smith,  
 Alexander Gilbert,  
 David Thompson,  
 Frederick Marquand,  
 J. & J. Stuart & Co.,  
 W. & J. Sloane,  
 Isaac Sherman,  
 R. J. Thorne,  
 Frederick D. Tappan,  
 Frederick H. Cossitt,  
 Robert Jaffray,  
 William Oothout,  
 Ebenezer Monroe,  
 Richard Arnold,  
 Richard Berry,  
 Davis Collamore,

James M. Constable,  
H. S. Terbill,  
Gabriel Mear,  
J. R. St. John,  
James Stokes, Jr.,  
W. W. deForest & Co.,  
Anson Phelps Stokes,  
Parker Handy,  
Charles Lanier,  
James E. Holden,  
H. H. Camman,  
Daniel W. Edgar,  
Wm. H. Vermilye,  
A. B. McDonald,  
Croswell Adams,  
Thomas J. Powers,  
John M. Burke,  
George W. Kittelle,  
R. Lowenthal,  
A. D. Vaughn,  
William Hector,  
S. P. Smith,  
Thomas L. Jones,  
W. J. Sanford,  
D. Burwell,  
F. Banklausen,  
J. C. Whiting & Co.,  
Charles Dubois,  
Philip E. Bogart,  
D. S. Hillyer,  
J. S. Mooney,  
Thomson & Benson,  
Frederick Aller,  
H. Waller,  
Charles E. Hawley,  
P. Balen & Co.,  
D. P. Benson,  
P. S. Marsh,  
Michael Cooney,  
J. A. Bonn,

Thomas Barron,  
William E. Dodge, Jr.,  
Samuel Willets,  
Robert Baylis,  
J. Pierpont Morgan,  
Robert Campbell,  
Richard P. Bruff,  
A. Robinson Walsh,  
J. M. Crane,  
A. R. Frothingham,  
John H. Cheever,  
Henry A. Patterson,  
Adam Moore,  
Charles Butler,  
Charles N. Talbit,  
William Bloodgood,  
Robert Dillon,  
William H. Fogg,  
O. W. Leonard,  
William T. Church,  
Wm. D. Harris,  
James Rice,  
E. Dusenbury,  
William Churchill,  
S. D. Lockwood,  
Joseph E. Brown,  
Edgar E. Parker,  
Emmitt Wells,  
Morgan Grey,  
Charles B. Leigh,  
Charles S. Taylor,  
C. J. DeWitt,  
W. H. Covert,  
A. D. Putnam,  
H. Hermburger,  
H. N. Holt,  
M. M. Caleb,  
E. B. Brooke,  
W. T. Saterlee,  
F. M. Lawrence,

S. M. H. Bond,  
 W. H. Borage,  
 Jacob Scholler,  
 George Kissam,  
 W. H. Farber,  
 W. H. Erwin,  
 P. M. Harder,  
 T. C. Faxon,  
 H. M. Potter,  
 H. N. Ormsbee,  
 Hiram Young,  
 James H. Tyler,  
 W. H. Gibson,  
 L. J. N. Stork,  
 Robert Blank,  
 P. M. White,  
 H. A. Cuppier,  
 J. A. Dick,  
 George Dennison,  
 J. M. Matthews,  
 George C. Herkimer,  
 James Birdsell,  
 H. G. Stebbins,  
 H. Wright,  
 Foster J. Weeks,  
 J. Frank Eagles,  
 C. T. Inslee,  
 N. Andrews,  
 Aiken & Burnett,  
 J. Wm. Daring,  
 Runyan Pyatt,  
 J. A. Stevenson,  
 A. R. Gray,  
 E. M. Sergeant,  
 A. W. McNickel,  
 Charles S. Brice,  
 John H. Hayward,  
 R. Cole,  
 Henry F. Rollins,  
 Andrew H. Green,

W. F. Tompkins,  
 Thomas Kenny,  
 Ralph Mead, Jr.,  
 Edward Hyde,  
 H. Seymour,  
 Theodore F. Hay,  
 John Kinnard,  
 G. W. Greene,  
 W. R. Greene,  
 C. E. Bigelow,  
 Abentroth Brothers,  
 H. F. Miller,  
 John Seavery's Sons,  
 E. F. Holbrook & Bros.,  
 W. D. Fiske,  
 Fred S. Nye,  
 Charles P. Barrett,  
 Alfred H. Gildrick,  
 J. R. Van Nest,  
 Charles W. Russell,  
 James Allen,  
 W. A. Perry,  
 N. F. Thorpe,  
 L. P. Ecker,  
 James McGrady,  
 A. M. Downing,  
 E. H. Ruton,  
 A. Jacobs,  
 O. D. Peck,  
 B. F. Clark,  
 W. Wisdom,  
 H. Snell,  
 H. H. Peck,  
 W. R. Woodward,  
 R. F. Bush,  
 W. H. Allen, Jr.,  
 Rothelsberger & Gerber,  
 Edward J. Holden & Co.,  
 A. Halsey,  
 Charles E. Ward,



C. S. J. Seymour,  
W. H. Willis,  
Nicholas L. Carl,  
S. M. Williams,  
Clark P. Carl,  
J. F. Waters,  
W. H. Tracy,  
P. H. Betts,  
W. Sundmacher,  
J. P. Carry,  
Goff & Smith,  
James C. Gray,  
John D. Price,  
J. C. Cornell,  
Albert B. Waldron,  
George Harvey,  
Benj. F. Teall,  
J. Cook,  
William Budworth,  
Thomas Callahan,  
Henry Thompson,  
John G. Roth,  
Henry Butler,  
William Raynor,  
Robert L. Young,  
Edward C. Elliott,  
Charles Going,  
Robert J. Norman,  
B. S. H. Good,  
John Hardenburgh,  
George H. Corfield,  
James R. Williamson,  
J. N. Brown,  
S. H. Davis,  
J. R. Estell,  
Samuel B. Potter,  
Charles E. Potter,  
E. B. Ely & Co.,  
George H. Lash,  
Samuel G. French,

James Turner,  
James F. Clark,  
David Pringle,  
R. S. Curtis,  
E. Wilson,  
Thomas Weddell & Co.,  
E. A. Packer,  
F. T. Robinson,  
S. Y. Forman,  
Charles Runyan,  
F. J. Porter,  
Theodore Hadden,  
J. M. Atwater & Brothers,  
Bernard Smith,  
H. E. Atwater,  
George F. Manning,  
Hammitt, Neill & Co.,  
J. George Ripplick,  
Frank Herriott,  
Robert Gordon,  
Harvey Conrad,  
William Wilson,  
E. P. White,  
William M. Davidson,  
Robert K. Buckman,  
W. H. Meeker,  
James E. Brisler,  
M. C. R. Martin,  
W. G. Weeks,  
Richard Heckscher, Jr.,  
Frank Walter,  
H. Howland,  
John Nagle,  
Francis M. Weed,  
Thomas J. Atwood,  
John W. Atwood,  
Henry E. Bowers,  
S. A. Last,  
N. Wetts,  
Tredway & Wells,

S. H. Caldwell,  
E. Allison,  
A. Van Arsdale,  
Benj. B. Wood,  
C. C. Nash,  
J. C. Crane,  
C. Cronkhite,  
George Meriweather,  
John P. Eames,  
John Preston,  
George Tuthill,  
Edward Gallagher,  
Samuel Castner,  
J. C. Thaner,

J. G. Moody,  
John W. Andrews,  
H. A. Achternacht,  
N. P. Hosack,  
E. D. Dunscomb,  
A. F. Jayne,  
J. W. Meringer,  
A. J. Hammitt,  
H. D. Harruge,  
James R. Crane,  
Henry Meyer,  
P. M. Verplanck,  
M. B. Heilner,  
Charles A. Swarthout,  
C. C. Peck.

## CHAPTER IX.

## THE VIADUCT RAILROAD OF 1871.

It is sad to recall the names of men of standing in this city, who in 1871 were apparently cheek by jowl with the members of the "Tweed Ring." At that time they obtained grants through Ring influence which even now would hardly meet with approval. Looked at in the present light one must believe that men of the highest respectability then allowed their names to be used, providing they were permitted to share profits, and that the press, which should have been guardians of the people's interests, openly sustained the general degradation of the times.

As an illustration, in 1871 two acts were passed authorizing the formation of the New York Viaduct Railway Company, to be called, "The New York Railway Co." The acts became laws April 5, and April 28, and, strange to say, have not yet been repealed. The company is authorized by these acts to form with a stock capital of \$25,000,000, in shares of one hundred dollars each, and to have legal existence for one hundred years. The substance of its provisions are the following:

First: A Board of not less than ten Directors are to be elected by the incorporators, whose names are mentioned in the bill, within three months after the passage of the Act.

Second: The Company are to have all the powers and privileges and be subject to the requirement of the act applying to railways passed in 1850, and its amendments.

Third: It is authorized to construct and maintain a viaduct and other road beds upon the lands acquired under the Act, to convey passengers and freight in cars propelled by steam or other power, from about Chambers Street to Harlem River, and thence to King's Bridge, with the right to build branch roads from any of its tracks or railway, across any lands, streets or other places, and connect with any other railroad.

Fourth: To charge not more than fifteen cents apiece as fare for each passenger between Chambers Street and the Harlem River, and to have the right within certain hours of the day to run special cars, for which an additional fare of five cents is authorized.

Fifth: Before proceedings could be taken by the Company to acquire title to the land required, the plans showing the proposed routes must be submitted to, and approved by, a Board of Commissioners, to be known as "New York Railway Commissioners," or by a majority of them. This board was to consist of the Governor of the State (Hoffman), the Mayor (A. Oakey Hall), and the Commissioner of Public Works (William M. Tweed).

Sixth: There was to be subscribed to the capital stock \$5,000,000 before the construction of the road was commenced, but after others had paid into the treasury of the Company ten per cent. of the par value of \$1,000,000 (\$100,000) the Mayor, Aldermen, and Commonalty of the City were directed, if it were approved by the Commissioners of the Sinking Fund, who consisted of the Mayor (Hall), the Chamberlain (Peter B. Sweeney), the Comptroller (Richard B. Connolly), the Recorder (John K. Hackett), Alderman (Dimond), and assistant Alderman (Lysaght), or a majority of them, to pay over to the Company on behalf of the city \$5,000,000, for which stock was to be returned to the City, which was to be known as the "New York Railway Stock."

Seventh: The Mayor, Alderman and Commonalty are forbidden to give permission to any other parties to do anything which would hinder or delay this Company.

Eighth: All property taken by the Company for such purposes was to be exempted from all lien and sale for

taxes and assessments until the final completion of the Company's viaduct and railway.

The following is a list of the incorporators of the "Viaduct" Bill:

Peter B. Sweeney,	William A. Booth,
Richard B. Connolly,	Sturtevant J. Moore,
Cornelius Corson,	Stephen North,
John McBride Davidson,	Addison G. Rice,
James M. Sweeney,	William Butler Duncan,
Charles E. Loew,	William R. Martin,
Charles A. Dana,	Charles A. Donaldso,
Hugh Smith,	Walter Shandley,
Sheppard F. Knapp,	Edward B. Wesley,
Leopold Eidlitz,	Terence Farley,
William R. Travers,	William Turnbull,
José F. Navarro,	George N. Van Nort,
Charles Banks,	Nelson J. Waterbury,
August Belmont,	James McGregor,
Simeon B. Chittenden,	Edward H. Tracy,
Luther Farwell,	Gustave Herter,
Horace Greeley,	Walter Roche,
John T. Agnew,	Edward J. Shandley,
Morgan A. Dayton,	Henry N. Smith,
John Cox,	Philo Remington,
John B. Travor,	Charles H. Horton,
John Taylor Johnson,	Charles T. Brown,
John Jacob Astor,	John T. Conover,
Levi P. Morton,	Alfred H. Abbey,
William M. Tweed, Jr.,	Richard Schell,
Henry Hilton,	John W. Downer,
Alexander M. Stewart,	James Turner,
Richard A. Storrs,	Samuel F. Barger,
Henry Smith,	James T. Coleman,
Oswald Ottendorfer,	Charles M. Morgan,
James Gordon Bennett, Jr.,	George Bolton Alley,
Forbes Holland,	William H. Cook,
John J. Terrell,	Henry A. Smith,
James J. Burnett,	William Tilden Blodgett,
George A. Osgood,	Edward K. Willard,

William R. Dwyer,  
 Peter Cooper,  
 Israel Tappan,  
 Samuel T. Francis,  
 Manton Marble,  
 John N. Knapp,  
 Sidney A. Stephens,  
 Robert L. Stewart,  
 Aaron J. Vanderpool,  
 Alanson D. Page,

Bernard Kelley,  
 Walter Leonard,  
 William Taylor,  
 Henry Chamberlain,  
 William E. King,  
 Phillips H. Jones, Jr.,  
 Henry C. Jones,  
 John T. Moffitt,  
 William G. Faxon,  
 William H. Rix.

The following persons were chosen Directors at the first meeting:

Alexander T. Stewart,  
 William M. Tweed,  
 August Belmont,  
 Charles A. Lamont,  
 A. Oakey Hall,  
 John Jacob Astor,  
 Peter B. Sweeney,  
 Levi P. Morton,  
 James F. D. Lanier,  
 Franklin Osgood,  
 William Butler Duncan,  
 John J. Bradley,

Charles L. Tiffany,  
 William R. Travers,  
 Joseph Seligman,  
 John Taylor Johnson,  
 Hugh Smith,  
 William T. Blodgett,  
 Richard O'Gorman,  
 José F. Navarro,  
 Henry Smith,  
 Edward B. Wesley,  
 Manton Marble,  
 Richard B. Connolly,

Henry Hilton.

The following persons were selected as officers:

Henry Hilton,  
 Hugh Smith,  
 W. Butler Duncan,  
 Edward P. Barker,

President.  
 Vice-President.  
 Treasurer.  
 Secretary.

The following notice was issued by the Board:

“By authority of the Board of Directors of the New York Railway Company, and in conformity with the terms of the Act of Incorporation in that respect, the undersigned Commissioners on Stock subscriptions give public notice for, and on behalf of the Directors and of such Company

the books of subscription for the Capital Stock thereof will be opened on Wednesday, the Twenty-eighth day of June, instant, and at the following places in this city namely:

“At the banking house of Duncan, Sherman & Company, No. 11 Nassau Street.

“At the banking house of the Bank of the Metropolis, No. 31 Union Square.

“The Company is authorized to construct two Viaduct Railways or branches through the city of New York on the East and West sides thereof, from a common starting point at or near Chambers Street, between Broadway and Chatham Street, also across the Harlem River and through Westchester County; with power to build additional lines of Railway or branches from time to time, in any part of the city or Westchester County. *The property acquired by the Company is exempted from Taxes and assessments during the period allowed for the final completion of the Railway in this City.*

“The Mayor, Aldermen and Commonalty of New York are authorized and directed with the approval of the Commissioners of the Sinking Fund to subscribe five millions of dollars of the stock of the Company, whenever one million thereof has been subscribed by private parties. *This conditional amount of Stock has been wholly subscribed for and taken by the Directors of the Company.*

“On the completion of either of the lines of Railway to the line of Westchester County, the Supervisors of that County are authorized to issue the bonds of the County to such amount as the Supervisors shall deem expedient to aid in the construction and extension of the railway in and through that County. For the proper equalization of the interest of shareholders who may subscribe and pay in moneys at different times the Directors are authorized to issue scrip for interest on such payment, payable out of the earnings.

“The terms of subscription will be as follows:

“Ten per cent. of the amount of Stock subscribed for, to be paid in cash at the time of subscription, the residue to be paid as called for by the Board of Directors on a notice of thirty days, but no call at any one time to exceed



ten per cent. Scrip for interest at the rate of seven per cent. per annum will be issued by the Company payable out of the first earnings of Railway on all installments paid on Stock subscribed for within thirty days after the subscription books shall be opened.

“The Company reserves the right to close the subscription books at any time after the 29th day of July, 1871. By order of the Board of Directors.

“ALEXANDER T. STEWART, }  
 “JOHN JACOB ASTOR, } *Commissioners on behalf*  
 “LEVI P. MORTON, } *of the Company.”*

“NEW YORK, June 16, 1871.

“NEW YORK (VIADUCT) RAILWAY COMPANY.

“PUBLIC NOTICE.

“The undersigned Commissioners of Stock Subscription to the New York Railway give notice that the books of subscription to the Capital Stock of the Company will be closed on the 31st day of August, 1871. Until that day the books will remain open for subscribers at the banking house of Duncan Sherman & Co., No. 11 Nassau Street; and also at the Bank of the Metropolis, No. 31 Union Square.

“Until the books of subscription are closed all subscribers for Stock will have the benefit of interest upon the several installments paid, and as allowed to those subscribing within thirty days after the books are opened.

“Dated NEW YORK, July 24, 1871.

“ALEXANDER T. STEWART, }  
 “JOHN JACOB ASTOR, } *Commissioners on behalf*  
 “LEVI P. MORTON, } *of the Company.”*

This sort of legislation must have been admired and



perhaps copied by Richard Croker and his friends, a few years ago, when they obtained control of the Union Railway, otherwise called the Huckleberry Road, but they certainly did not pretend to vie with the magnificent proportions of this grab.

It was considered wise, a little later, in view of public sentiment about such matters, to place a different set of directors before the public.

On November 22d, 1871 (the same day on which Hilton & Sweeney retired from the Park Board), the following resignations from the Viaduct Board were accepted: Hall, Sweeney, Connolly, Tweed, Hank Smith, J. J. Bradley, O'Gorman and Marble. The following named persons were elected to fill the vacancies: Andrew H. Greene, Oswald Ottendorfer, Abram S. Hewitt, William B. Ogden, Samuel D. Babcock, James B. Colgate, Sidney Dillon and William H. Appleton. So, at the time when the city had been robbed in every conceivable shape by the Ring, many of the distinguished citizens of New York joined hands with them in business, to take from our depleted treasury \$5,000,000 more, whenever they could induce the Ring to consent to it. By this Act, all the property of the Company acquired (which could be whatever they wanted, of course) was exempted from taxes and assessments during the period allowed for the final completion of the railway in the city. And from all this, what benefit were the other citizens to derive?

It must be that a large proportion of the wealthy men who were directors in this huge enterprise were induced to act by a few men whose names will be found in nearly all the petitions and documents issued in those days, and that they associated themselves with them in ignorance of what they were doing. It makes no difference, however, how they came to do it, they did it, and it has been largely through the acts of such men that our posterity will probably have to suffer more than we at present surmise.

It has been said that the world will never know how many men, accounted respectable, were connected directly or indirectly with the great system of rings, all of which in one way or another had to pay tribute to the "Tweed

Ring." Unquestionably, the method by which Tweed and his associates succeeded in their schemes of plunder, was through a system of subordinate rings, each dependent to a certain extent on the other, and that the whole fabric was rotten. With protection given them by the Judiciary and the press, and with support of "first-class" citizens, the Ring was perfectly secure until it fell to pieces from exposure to the light.

## CHAPTER X.

## TILDEN AS A REFORMER.

HAVING briefly reviewed what leading citizens did to aid the "Ring" in 1870 and 1871, it will not be out of place to show how little the distinguished leaders of the Democratic party did in this State to prevent its advancement, even after it had been recognized as a most dangerous power. Samuel J. Tilden at that time was believed to be the leader of the better class of Democrats in this State. It will be part of the writer's plan to show when and by whom the overthrow of the "Ring" was accomplished, and to point out some of the transparent shams of the time. To many of those who were brought into contact professionally or otherwise with different members of the "Ring" after their fall, the claim for superior virtue and patriotism made for Samuel J. Tilden has seemed amusing.

He has been given great credit for the assistance which he rendered in the overthrow of the "Ring," and doubtless to his skill in intrigue and in the selection of the proper expert, in the person of Mr. Taintor, much of the knowledge that has been acquired of the amount of percentages which found its way into the pockets of the different members of the "Ring" may be attributed. Such knowledge, however, has proved the least valuable though the most expensive of any, for it has only served to show how little he and his friends accomplished when they undertook to punish the thieves and restore the stolen property to the city. In the light of Tilden's character as known

before, during the "Ring's" supremacy and after its demolition, it is absurd to look upon him as a man who always "stared fraud in the face until it shrank from his withering gaze." As counsel, he had aided many of the most distinguished "financiers" the country had ever known. Conspicuously, as counsel, he aided Oakes Ames in the Credit Mobilier conspiracy, he was in with the Scott and other rings, and also with Fisk and Gould in Erie Railway matters. When Tweed and Sweeney were directors in the Erie Road in 1868, Tilden was one of the counsel for the company. The list furnished to Tweed as the amount expended in the Erie Railroad in 1868, refers to Tilden as having received from that road for counsel fees \$20,000. Tilden subsequently claimed that he had only received \$10,000, but it makes but little difference whether it was \$10,000 or \$20,000, he was counsel for them at a time when the community was shocked at the judicial outrages which were then being practiced for them in the name of justice and under the cover of the law.

The subject of his character is only referred to for the purpose of suggesting that if the dangerous combinations he had been aiding for years were good enough for him to assist when he received money for so doing, then the "Tweed Ring," up to the time of its downfall in 1871, was not such an unholy thing that he need shrink from it. That he was hand and glove with Tweed and his friends in the election which took place in the fall of 1868, when Hall was elected Mayor and Hoffman made Governor, is best shown by a circular which was issued from the headquarters of the Democratic State Committee that year with Mr. Tilden's name signed as Chairman.

The circular was sent through the State on the eve of the election. To comprehend its motive thoroughly it should be read in connection with testimony given by Mr. Tweed on the same subject before the Committee of the Board of Aldermen, in 1877.

It is proper to say here that Mr. Tilden subsequently denied that he signed that certificate, but the testimony he and Mr. A. Oakey Hall each gave on that subject, in December of the same year, before a Congressional Committee

which sat on the election frauds of that year, in this city, makes it apparent that he was well aware that such circular had been issued.

Mr. Hall on that occasion testified that he was Secretary of the Executive Committee of the Democratic State Committee of that year. He said that the printed part of the circular in question was prepared by him and that he signed it and that it was usual to sign the name of the chairman of the main committee to such papers.

Mr. Tilden then testified that he did not sign the circular, but that he was in the committee room in the Metropolitan Hotel a day or two before election, and that he then understood that a circular had been sent out asking for election returns. He said that he saw at that time on a shelf in the room a pile of circulars signed with his name; that he did not read them, as he believed he understood their contents and he supposed they were the circulars to which reference had been made. He testified that in the evening of election day he was at the Manhattan Club in this city, and that some of the answers were addressed to him and some to Mr. Tweed, and that they were read during the evening.

This testimony can be found in Vol. III. of the Report 41, House Documents Third Session of the Fortieth Congress, at pages 257 and 175. The following is a copy of the circular:

“ROOMS OF THE DEMOCRATIC STATE COMMITTEE,

“October 27, 1868.

“MY DEAR SIR: Please at once to communicate with some reliable person in three or four principal towns and in each city of your county, and request him (expenses duly arranged for at this end) to telegraph to William M. Tweed, Tammany Hall, at the minute of closing the polls, not waiting for the count, such person's estimate of the vote. Let the telegram be as follows: “This town will show a Democratic gain (or loss) over last year of (number.)’ Or this one, if sufficiently certain: ‘This town will give a Republican (or Democratic) majority of .’ There is, of course, an important object

to be attained by a simultaneous transmission at the hour of closing the polls, but no longer waiting. Opportunity can be taken of the usual half hour lull in telegraphic communication over lines, before actual results begin to be declared, and before the Associated Press absorb the telegraph with returns and interfere with individual messages, and give orders to watch carefully the count.

“Very truly yours,

“SAMUEL J. TILDEN, Chairman.”

The following is Tweed’s testimony referred to:

Q. Do you remember the evening of election in 1868 after the polls were closed? A. Yes, sir. I remember where I spent that evening very well.

Q. Where? A. In the Metropolitan.

Q. Do you remember who were present? A. Yes, sir; prominent ones in the party.

Q. Name them, if you please. A. Mr. Sweeney was there; Mr. George W. McClean; Mr. Connolly and Mr. Hall; Governor Hoffman, I think.

Q. Do you remember that evening of a telegram being sent out in reference to sending out reports? A. That was done in the daytime.

Q. Do you know personally of its being done? A. Yes, sir.

Q. And who did it? A. Yes, sir.

Q. Who did it? A. Mr. Hall.

Q. Have you any knowledge that any one else knew what it was sent for? A. Mr. Hugh Smith knew it.

Q. What was this telegram sent out for? A. To keep the telegraph lines busy.

Q. Can you state now at this time, whether the election which took place in the city of New York at that time was a fair and honest election? A. I have not the details in my memory.

Q. What is your best impression? A. I don’t think there is ever a fair or honest election in the city of New York.

Q. What I desire to find out is, whether or not the vote which was given in New York wasn’t made so, as in some



way or other to offset the vote which was given from the rest of the State? A. I do not know that. I know we took means to prevent them from doing what they wanted to do.

Q. And what were the means you took? A. Well, one of the means, I know, was to get entire possession of the telegraph wires and keep them busy. One of us proposed to telegraph the whole Bible over them if it were necessary.

Here we have Tilden, as chairman, directing Democrats throughout the State to seize the telegraph wires as soon after the closing of the polls as possible, and to notify Tweed of the probabilities of the election, and Tweed in New York doing the same thing.

In his reply to the New York *Times* in 1873, Tilden spoke of the power of the Ring and his knowledge that in 1869 it was opposed to all good government. Nothing was heard from him at that time in opposition to the Ring, and it was only in 1871, when as a politician he saw that the press had redeemed itself and was with the people, that he began in piping tones to suggest some opposition. It was after the *Times* in the summer of 1871 published the figures of the gross frauds that had been perpetrated, and stirred the community to its very core with the terrible articles from the pen of O'Rourke, that Tilden saw his chance to dethrone Hoffman, and to advance himself.

From that time on the outside appearance of Samuel J. Tilden was that of a radical reformer. As there must be no doubt in the minds of men that the writer has correctly stated the position of Tilden up to the fall of 1871, and as it is important to a proper understanding of events which grew out of the downfall of the Ring that it should be known whether Tilden's acts were the results of moral bravery and great love for the public, or from unmitigated selfishness, the opinions of leading minds on the subject are quoted. On October 20th, 1869, Horace Greeley addressed an open letter to Mr. Tilden, to which no public reply was ever made within the writer's knowledge. The following is so much of it as bears upon the subject:

“TO SAMUEL J. TILDEN,

*“Chairman Democratic State Committee.*

“SIR: You hold a most responsible and influential position in the councils of a great party. You could make that party content itself with the polling of legal votes if you only would. In our late Constitutional Convention I tried to erect some fresh barriers against election frauds. Did you? The very little that I was enabled to effect in this direction I shall try to have ratified by the people at our ensuing election. Will you? Mr. Tilden, you cannot escape responsibility by saying, with the guilty Macbeth,

*“Thou canst not say I did it;*

*Never shake those gory locks at me,’*

for you were at least a passive accomplice in the giant frauds of last November. Your name was used, without public protest on your part, in circulars sowed broadcast over the State, whereof the manifest intent was to ‘Make assurance doubly sure,’ that the frauds here perpetrated should not be overborne by the honest vote of the rural districts. And you, not merely by silence but by positive assumption, have covered those frauds with the mantle of your respectability. On the principle that ‘the receiver is as bad as the thief,’ you are as deeply implicated in them to-day as though your name were Tweed, O’Brien or Oakey Hall. . . . Now, Mr. Tilden, I call on you to put a stop to this business. You have but to walk into the Sheriff’s, the Mayor’s, and the Supervisor’s offices in the City Hall Park, and say that there must be no more of it. Say it so that there shall be no doubt that you mean it, and we shall have a tolerably fair election once more. Will you do it? If we Republicans are swindled again as we were swindled last fall, you and such as you will be responsible to God and man for the outrage.

Yours,

“HORACE GREELEY.

“NEW YORK, October 29, 1869.”

In his answer, in 1873, to the charges made against him by the *Times*, Tilden claims that in 1870 he appeared be-



fore the Senate Committee in Albany to protest against the passage of the Tweed Charter. From what he has himself said of his speech upon that occasion, one would think he was terribly in earnest. What a different conclusion must be arrived at, if the stenographic reports of that speech were correct. The following is the newspaper account of a portion of his speech :

“I come here, sir, (to Tweed) to aid no party of men nor to injure any party of men; I come here simply to contribute what I may, however little, to a result in which you, I, and all of us have a great interest and you a great duty. And let me say here, that if I know my own heart, I have no feeling of unkindness to any human being. To yourself, Mr. Chairman, or to anybody else, I am unconscious of ever having done an unkind act or entertained an unkind feeling. . . . Mr. Chairman, this committee and this legislative body may render a service to the people, such as falls to the lot of few; such as will be of service to them and an honor to you. I trust, sir, that with your best facilities applied to the subject you may achieve results that will be satisfactory to all.”

After the *New York Times*, of 1871, had begun to realize how enormous were the frauds of the Ring, and how dangerous to the peace of the community it had become, it also began to realize how backward the leading men in the Democratic party had been and how utterly neglectful they were in sustaining the traditional honesty of the party. Speaking of them it said: “They denounced when it was no longer dangerous to denounce. Their indignation concerning the Ring was most edifying, after the Ring was down.” Again it said: “Mr. Tilden comes with his advice when it is very easy to give it, and the other leaders hasten to run from the sinking ship.”

Again it said: “Just at present it is a comparatively comfortable thing for . . . Mr. Tilden . . . to throw mud on the grave of the Tammany Ring.” Still again it said: “Mr. Tilden generally saves himself by these somersaults at the eleventh hour,” and, “He came

over to our side and then did his best to keep up appearances for the Democratic party."

It is too often the practice with people to paint pleasant word pictures of men after they die. It is done because it is believed that none will desire after death to question the truthfulness of the obituary. The author believes, however, that the history of the times which he is striving to depict with absolute fairness, could not be given, while the history of Tilden as written by Mr. Bigelow, remains uncontradicted.

It is not pretended that Mr. Tilden did not connect himself with the reform element of the community after the publication in the *Times*, during the summer of 1871, when every sane man in the city realized that the Ring would not be allowed to continue its depredations. The rapidity with which he got to the front evidenced a suspicious amount of political activity; and from that time until the old idea of how best to take care of Tilden's interests manifested itself in him, he appeared in the reform movement. No one who can recall those days when Hoffman was made Governor, and every one predicted that he would reach the Presidency, will fail to remember that it was considered that Tilden's chances for preferment were wiped out. After Tilden realized how much he had done, while aiding to elect Hoffman, to work his own undoing, he bitterly hated Hoffman. Nothing, in a few words, can better describe the man than a short paragraph which appeared in the *Herald*, in 1874, and which was copied in a book written by Buckman, in 1876, entitled "Tilden Unmasked."

"He is vain and ambitious. He hated Tammany because it ignored his claims to political promotion, but he courted and flattered its chiefs. In the winter before the 'Tammany Explosion,' Mr. Tilden used to call on Governor Hoffman at Albany, and after deferring to the Tammany Governor in the most suave manner, he would linger and shake hands with him three or four times before leaving."

## CHAPTER XI.

## OVERTHROW OF THE "RING."

THE year 1871 was not only the year in which the Ring reached the summit of its success, but it was also the year of its overthrow. For a time there was presented but a semblance of strength and activity against the Ring, but the blows struck at it through the *New York Times* became so incessant and severe that the public, which had been dormant so far as moral sensibility was concerned, was forced to recognize its danger. Even most of the men who signed the petition to the Senate in behalf of the Ring only a short time before, and others who had obtained authority from the Legislature by the assistance of the Ring to build the Viaduct Railway, were forced, for appearance sake, if for nothing more, to join in a public meeting to consider how to overthrow it. As stated, the Ring in 1871 had reached the meridian of its strength. It could raise all the money it needed; it had, to a great extent, the encouragement of the press, which it had managed to render torpid; it was backed by many of the wealthiest commercial houses and citizens in New York, and Governor Hoffman had selected Justices Barnard and Cardozo as the appeal Judges to sit in General Term in the First District. No wonder that Tweed, when first threatened, said, "What are you going to do about it?" and Mayor Hall asked, "Who is going to sue?"

## JAMES O'BRIEN CLAIM.

Troubles began with a restless spirit within the Ring, who knew the workings of the "machine," was not satisfied to be a subordinate, and was determined that he should rule or ruin his associates. James O'Brien was the sheriff of the county in 1870, and was in the habit, with others, of rendering bills of an exorbitant character. After the Board of Supervisors was abolished by the Charter of 1870, O'Brien, as Tweed testified in 1877, presented a bill which he claimed to be a just one against the city and demanded payment. Whether it was because the Ring had reached a point where they thought they could defy everybody, or whether it was because they had become afraid to pay such large claims is undetermined, but Connolly refused to pay O'Brien's claim. O'Brien was always friendly with Tweed, but disliked the other members of the Ring, and in order that he might have something to hold over them and compel payment of his claim, he caused to be appointed in the Comptroller's office one William Copland, who was directed to make extracts from the Comptroller's books which showed the frauds. This he accomplished before he was discovered and discharged. These memoranda were obtained by Copland in 1870 and were used by O'Brien, it is said, for many months as a means to compel payment of his claim, and were offered to several newspapers before they reached the *Times* office. The history of the O'Brien claim is a curious one. Tweed narrated it when he was before the Aldermanic Committee in 1877. He said in effect that after the *Times* had commenced its attack in 1871, and the members of the Ring had begun to realize the troubles which were impending, Mr. Frank Bixby, then a warm and personal friend of O'Brien, went to Mr. William O. Bartlett, who was then one of Mr. Tweed's counsel, and suggested that Tweed buy O'Brien's claim against the city, amounting to about \$350,000. Mr. Bartlett refused to consider the proposition.

Shortly after this, William E. King, who was Deputy Commissioner of Public Works under Tweed, called on

him and informed him that O'Brien had said that Mr. Tilden was desirous of running for Assembly that year, out of his (O'Brien's) district, and that he (O'Brien) could control the nomination, and that he could therefore control Tilden to the extent of having him let up on Tweed; and that he had also said that he could influence Mr. George Barrett, who was one of the counsel for the Committee of Seventy, providing Tweed would purchase from him his claim against the city.

At first Tweed said he would have nothing to do with such a proposition. Some time thereafter, however, Mr. King and Mr. Dewey, who was a confidential clerk of Mr. Tweed did induce him to meet Mr. Frank Bixby at the Metropolitan Hotel and discuss the matter of the purchase. Mr. Bixby there renewed the assurance of what O'Brien would do and at last Tweed consented to buy one-half of the claim. Tweed paid \$20,000 in cash and the balance in good mortgages on a piece of property located opposite the home of the late Fernando Wood. The mortgage was for \$128,000 with interest, and with the \$20,000, was given in payment of one-half of O'Brien's claim. It was first assigned by Tweed to Mr. Dewey or Mr. King, he (Tweed) did not recall which of them, as was also the check, and thereafter assigned and paid to Mr. Bixby. The assignment of the claim to Tweed was *witnessed by a Mr. Monheimer*.

It was agreed at the time that O'Brien should have a resolution passed in the Legislature the following winter, referring his claim to a committee, and upon its award and payment by the city Mr. Tweed was to receive back the money he had paid to Mr. O'Brien. Subsequently, it is stated, Connolly purchased the other half of the claim. Mr. Tweed was gulled, as he said he had often been before, for neither Tilden nor Barrett ever ceased to persecute him.

The following is a copy of the assignment of one-half of O'Brien's claim to Tweed:

"Know all men by these presents; that I, James O'Brien, of the City of New York, of the first part, for and in consideration of one dollar to me, in hand paid, by S.

Foster Dewey, of the second part, the receipt whereof is hereby acknowledged, have sold, assigned, transferred and set over unto the said party of the second part, not less than one-half of any and all claims, demands, debts and sums of money due and owing to me by the City and County of New York, it being understood and agreed that the amount hereby assigned is not less than \$150,000 of said claim against the City and County, to have and to hold the same unto the said party of the second part, his heirs and assigns, with full authority to the party of the second part to take all lawful ways and means for the recovery of the amount hereby assigned to him, and in case of payment of the amount so assigned, to discharge the same as fully as I might or could do if these presents were not made.

“Witness my hand and seal this 20th day of October, 1871.

JAMES O'BRIEN.”

“In presence of JOS. A. MONHEIMER.”

At the hearing before the Aldermanic Committee in 1877, Mr. Tweed testified that he was very familiar with Mr. O'Brien's handwriting and that the signature attached to the assignment was his. Messrs. Patrick H. Maguire and Joel O. Stevens also then testified that they were each familiar with the handwriting of Mr. James O'Brien, and the signature at the foot of the assignment to Tweed was his.

The most remarkable of O'Brien's claim is, that after he had realized through Tweed, and it is believed through Connolly, full payment of it through their purchases, he commenced action against the city for the same claim through Monheimer, who had witnessed the assignment to Tweed. Tweed's exposure of this job was probably the reason why the city was saved from that imposition. After the assignment to Tweed, when O'Brien was in the Senate, he had a resolution passed referring the matter of this claim to a referee, but it is said that the fairness of such claim against the city has never yet been passed upon.



## ATTACK ON THE RING BY THE NEW YORK "TIMES."

While Mr. Copeland was obtaining from the Comptroller's office the figures which subsequently appeared in the *New York Times*, another man in the person of Mr. Matthew J. O'Rourke, had his attention called to the extraordinary payments that had been made from the Comptroller's office, and was also investigating on his own account. Mr. O'Rourke had, a short time before his appointment to that office, occupied a position as military editor upon a paper in this city. He was struck with the extraordinary charges which were made under headings of "Armories and Drill Rooms." Mr. O'Rourke had been appointed to succeed a Mr. Lynes as County Bookkeeper on January 24th, 1871, and having satisfied himself of the fraudulent character of the administration of the office, he offered his resignation on May 19th, 1871, to take effect on May 31st. Before leaving, he too had fortified himself with some proofs of the frauds. After leaving the office Mr. O'Rourke took the information he had acquired to gentlemen whom he supposed would be interested in hearing of the frauds that were being practiced in the Department of Finance, and offered to disclose what he knew for the benefit of the public, but, like the persons in the parable, they all had something else to do. Finally Mr. O'Rourke called upon Mr. Jones, of the *Times*, and told him the story. That paper had then a claim against the city for some thousands of dollars, and Mr. Jones hesitated about acting. One of the owners of the paper had also just died, and a question arose as to whether Mr. Jones should take the responsibility upon himself under such circumstances. Through the intervention of a distinguished gentleman the interest of the deceased owner was purchased, and Mr. Jones was then in condition to start the fight. O'Rourke was engaged to begin the contest, and as his knowledge of frauds was more intimately connected with the subject of "Armories and Drill Rooms," he opened the attack, on July 8th, 1871, by calling the attention of the public to the enormous rents that were being paid for buildings to be used for

such purposes. The statements made were so clear and specific that they at once attracted attention. In order that still greater force might be given to his pen by associating his figures with the information which had been obtained from Copeland, Mr. O'Rourke agreed to write the Copeland figures with his own and then attack the Ring through the editorial columns. On the 22d of July, 1871, there appeared in the *Times* several columns on the Ring frauds.

On the 24th of July came the first installment of the figures which had been copied from the Comptroller's books, and on the 26th and 28th there was a continuance of the same sort of matter, and on the 29th was published a résumé of what had already been shown, and Mr. O'Rourke continued to make attacks on the Ring through the columns of that paper. He was fearless and most forcible in the way he presented the facts to the public. It has been claimed that the *Staats Zeitung* was one of the papers that first came to the support of the *Times* in the fall of 1871. It may be so, but it does not seem an act of sincerity that Mr. Ottendorfer should have signed a petition as trustee for the erection of a monument to Tweed in 1870, and that so soon thereafter his paper should be aiding the cause of reform. Mr. Sweeney, in a pamphlet recently issued by Mr. John F. Savage, publishes letters which passed between himself and Mr. Ottendorfer under the dates of November 14th and 16th, 1868, in which he asserts that by authority of Tammany Hall he offered to Mr. Ottendorfer that year the nomination for Mayor, and that the latter refused it in consequence of declining health, and Mr. Hall was selected in his place. The articles in the *Times* certainly had the effect of arousing the public to at least a temporary activity, and a public call was made for a meeting in Cooper Union Hall on the evening of September 4th, 1871.



## CHAPTER XII.

### THE BOOTH COMMITTEE OF INVESTIGATION.

WHAT brought into existence the Booth Committee, which effected so much good, was the action of Mayor Hall.

After Mr. O'Rourke had exposed the frauds of the Tweed Ring, he was assailed by almost the entire press of the city. He, however, reiterated his charges, and finally Mayor Hall sent a message to the Board of Aldermen and to the Board of Supervisors, in which he called the charges made by O'Rourke "a partisan attack," and expressed himself as follows:

"The gross attacks of a 'partisan' journal upon the credit of the city should be answered by a full report of a Committee of Citizens in whom the community have the greatest confidence, as the good name of our city, its prosperity and every interest dear to its people must suffer from libels so gross, and attacks so false and exaggerated."

A circular containing the above extract was prepared and sent to several prominent citizens, who were invited to join the Aldermen and Supervisors in an examination of the city accounts and, without delay, on September 6th, 1871, the following named citizens agreed to and did serve:

Royal Phelps,  
Robert L. Cutting,  
Thomas W. Pearsall,  
Thomas Jeremiah,

William A. Booth,  
Robert Lenox Kennedy,  
Paul A. Spofford,  
H. B. Claffin.

Of the Board of Supervisors were:

Supervisor Jerome,	Supervisor.
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Of the Board of Aldermen:

Dimond,	Alderman.
Welch,	“
Plunket,	“
Woltman,	“

The Committee, assisted by several accountants, commenced their investigations on September 12th, and made their final report on October 27th, 1871.

A summary of their reports is to be found on pages 106 and 107 of their report. They say:

*First:* The debt of our city is doubling every two years.

*Second:* Three million, two hundred thousand dollars have been paid for repairs on Armories and Drill Rooms, the actual cost of which was less than \$250,000.

*Third:* Over \$11,000,000 have been charged for outlays on an unfinished Court House, for which building completed, an honest estimate of real cost would be less than \$3,000,000.

*Fourth:* Safes, carpets, furniture, cabinet work, painting, plumbing, gas and plastering have cost \$7,289,466.81, which are valued by competent persons after a careful examination at \$624,180.40.

*Fifth:* \$460,000 have been paid for \$48,000 worth of lumber.

*Sixth:* The printing, advertising, stationery, etc., of the city and county have cost in two years and eight months, \$7,168,212.23.

*Seventh:* A large number of persons are on the pay rolls of the city whose services are neither rendered nor required.

*Eighth:* Figures upon warrants and vouchers have been fraudulently altered and payments have repeatedly been made on forged endorsements.

With these facts before them, your committee are compelled to report to you that, in their judgment, frauds and robberies of the most infamous character have been committed with the connivance and co-operation of some of the officials who were appointed to guard the interests of the people. *The condition of the city and county finances, as shown by these investigations, has served to destroy all confidence in the management of the present city officials.* (The italics are from their report.) While not desiring to arrest the important improvements now in progress, your committee deem it absolutely essential to the credit of the city that expenditures in all Departments be reduced to the lowest possible limits; that every officer and salaried employee whose services are not indispensable be discharged, or requested to resign; that contracts be subjected to the most rigid scrutiny and all expenditures be reduced to an amount clearly within the financial ability of the treasury.

The demand upon the city treasury will necessitate the borrowing of large sums of money at an early day. An appeal must be made to moneyed institutions and to capitalists. Besides the \$20,000,000 due on taxes, \$18,000,000 are required to meet current expenses and obligations maturing on the 15th of next January. After that \$18,000,000 to \$20,000,000 will be demanded for the first ten months of the ensuing year, under the most economical administration of the city finances.

*Your committee regard as futile any attempt to borrow those large sums of money while the city is controlled by its present management.* (The italics are from their report.)

The existing debt of the city is entirely within the ability of the people. But if the expenditures and frauds of the past two years are to longer continue, your committee cannot but view with alarm the consequences to the credit and prosperity of the city. They are, however, of the opinion that the tax paying citizens and the moneyed institutions will cheerfully respond to the full extent of the requirements of the treasury, if confidence in the administration of the city can be restored.

Your committee has accomplished the object of their appointment as far as possible, without the additional power to send for persons and papers. We had reason to hope that the committee would be invested with this power, but that hope has been disappointed.

Nothing therefore remains for us but to submit the results of the investigations which are embodied in our successive reports. We have endeavored to discharge with fidelity, the duty of the trust committed to our charge, and we deeply regret the necessity of exposing to public view a record of such unexampled and appalling municipal frauds.

Respectfully submitted by order of the Committee,  
WILLIAM A. BOOTH, *Chairman.*

On the first day of January, 1869, the City and County debt was.....	\$36,293,929.59
On the first day of January, 1870, it had increased to .....	48,033,741.59
On the first day of January, 1871, it had increased to .....	73,373,552.02
On September 4, 1871, it had increased to..	97,287,525.03

If the City and County debt continued to double every two years, as Mr. Booth's Committee said it had been doing since 1869, in eighteen years it would have been greater than the value of all the property in the United States, as will appear by the following calculations:

1871, September 14, City and County debt was .....	\$97,284,525.05
1873, September 14, it would be.....	\$194,565,050.06
1875, September 14, it would be.....	389,130,100.12
1877, September 14, it would be.....	778,260,200.24
1879, September 14, it would be.....	1,556,520,400.48
1881, September 14, it would be.....	3,113,040,800.96
1883, September 14, it would be.....	6,226,081,601.92
1885, September 14, it would be.....	12,452,163,203.84
1887, September 14, it would be.....	24,904,326,407.68
1889, September 14, it would be.....	49,808,652,815.36

The value of all the property in the United States at a very liberal estimate at that time was \$29,000,000,000.

In 1889 the excess of debt of City and County of New York over all the property in the United States would have been \$20,808,652,815.36.

The general report of the Booth Investigating Committee given above was accompanied by eleven other sub-reports on distinct branches, which had been investigated by them, and with complete tabular statements from the Comptroller's books on every branch of his department. It was a work fully and faithfully done, and too much credit cannot be bestowed upon those gentlemen who accomplished it.

It must be remembered that it was while the Booth Committee was engaged on the State investigations of the Comptroller's office that Connolly surrendered his office as Comptroller, by the advice of Tilden, to Andrew H. Green. That occurred on September 16th, 1871. One of the first movements on the part of Mr. Green (as stated by William E. Warren, the chief accountant of the Investigation Committee, on page 141 of the report) was to stop transcribing of the accounts, stating to the Committee that he would "lose no time in publishing full, detailed accounts of the City and County expenditures from 1869 to the present time."

Mr. Green probably forgot his promise, for not a figure, as the writer has been able to learn, has ever been published in fulfilment of it. Prior to 1870 Mr. Green had been for many years Treasurer of the Board of Park Commissioners and an intimate associate of Samuel J. Tilden. If his conduct on that Board is faithfully described by Mr. Lindsay J. Howe, Commissioner of Accounts, in his report to the Board of Aldermen, June 17th, 1875 (Document No. 6), Mr. Green was a very improper person, so far as the interests of the city were concerned, to have charge of the city treasury at that time.

In an article published over his own signature in the *Journal of Commerce* of January 22d, 1879, Mr. O'Rourke made the specific charge that "there are millions of dollars worth of city bonds outstanding which have never

been included in any official report of the city debt;" and he has offered to submit the evidence upon which he based this charge to any committee of respectable business men, if they would only agree to bring the guilty parties to justice without reference to their politics or social standing. Mr. O'Rourke has informed the writer that in a letter to Comptroller Meyers, dated February 29th, 1888, he called his attention to the same matter, and offered to prove that gross frauds had been committed by subordinates in the Comptroller's office.

To many others, even to our present Mayor Strong, Mr. O'Rourke has made similar proposals, as he has informed the writer, but without receiving acceptance of his proposal from any of them. Since he demands so little to enable the public to test his knowledge on this important subject, why should not such demand be allowed? Are there still people who must be protected, or is it simply a feeling that our children must take care of themselves?



## CHAPTER XIII.

### THE COMMITTEE OF SEVENTY OF 1871.

ON the night of September 4th, 1871, one of the largest meetings that had as yet gathered was held in the great Hall of Cooper Union. The *Times* had succeeded in arousing the people to a sense of their danger and, for the time at least, it seemed that they were in earnest. Mr. Henry Nicholl called the meeting to order, and the names of a President and well selected Vice-Presidents were read to the meeting, and the usual reform speeches from the recognized reformers of that day were enthusiastically received. The gentlemen whose names were read constituted a committee of defence who were to care for the interests of the citizens, and they were known as the Committee of Seventy.

It consisted of the following citizens:

Henry G. Stebbins,	President.
William F. Havemeyer,	Vice-President.

#### *Vice-Presidents:*

Edward Solomon,	Joseph Blumenthal,
George C. Barrett,	John A. Dix,
Jackson S. Schultz,	George W. Varian,
Reuben W. Howes,	Joseph J. O'Donough,
W. C. Barrett,	William Fliess,
Judge James Emott,	J. Seligman,

W. H. Neilson,	William Rodde,
Isaac Bailey,	Emil Sauer,
D. Willis James,	Albert Klamrott,
Robert L. Kennedy,	John Stratton,
E. B. Sherman,	Thomas McLelland,
William C. Milloy,	J. N. Bundy,
C. E. Detmold,	Henry Nicholl,
Charles Creery,	E. Krackawitser,
Samuel D. Babcock,	Adrian Iselin,
Edwards Pierpont,	Jonathan Sturges,
Joseph H. Choate,	T. Steinway,
John Foley,	Royal Phelps,
James M. Brown,	John C. Greene,
Henry Clews,	William W. Wickham,
Henry F. Spaulding,	Robert Roosevelt,
George W. Lane,	Simon Stern,
W. R. Vermilye,	N. G. Dunn,
E. Townsend,	T. C. Cunningham,
Lewis Ballard,	S. B. Ruggles,
Paul A. Spofford,	Robert B. Nooney,
James M. Halsted,	Francis C. Barlow,
J. B. Varnum,	John M. White,
Robert Hoe,	Eugene Ballou,
J. Wheeler,	Julius W. Tiemann,
H. N. Beers,	George W. Vanslyck,
Samuel Christie,	Frederick Schell,
Thomas A. Ledwith,	John H. Stewart,
	Thomas W. Pearsall.

The Sub-Committee, shortly after this meeting of the Committee of Seventy, had a meeting at the office of Messrs. Vermilye (bankers), and it is said that Mr. Joseph H. Choate read the following list of names for officers of the Committee, which was unanimously adopted:

For President,	Henry G. Stebbins.
For Vice-President,	William F. Havemeyer.
Secretary,	Roswell D. Hatch.

(Simon Stern succeeded Mr. Hatch.)



## The Committee of Seventy of 1871. 87

These gentlemen were very fortunate, for shortly afterward Mr. Stebbins became President of the Park Board, Mr. Havemeyer became Mayor, and Mr. Hatch became Fire Commissioner.

A working Sub-Committee, which was called the "Committee on Remedies," was also appointed, consisting of the following gentlemen:

Jackson S. Schultz,  
John Wheeler,

George C. Barrett,  
Joseph Blumenthal.

These gentlemen were equally fortunate, for they were advanced as follows:

Jackson S. Schultz to be a Health Commissioner.

George C. Barrett to be a Justice of the Supreme Court.

John Wheeler to be Tax Commissioner.

Joseph Blumenthal to be Member of Assembly.

Francis C. Barlow, Abraham R. Lawrence, George C. Barrett and Wheeler H. Peckham were employed as Counsel to this Committee.

These gentlemen were likewise fortunate, as Mr. Barlow soon became Attorney-General, Mr. Lawrence was elected Justice of the Supreme Court, as was Mr. Barrett, as stated and Mr. Peckham was appointed District Attorney.

Looking back upon the situation it would seem as if these gentlemen were fully equipped for action. They had a thoroughly aroused community behind them, the newspapers generally had recognized the situation, the Ring representatives were disheartened and demoralized, the Booth Committee were unearthing the frauds in the Comptroller's office, and witnesses like Ingersoll and Garvey were at hand to testify for them. From what is known that Committee accomplished practically nothing. Mr. Wheeler H. Peckham, who was one of their counsel, when testifying before the Aldermanic Committee in 1878 said "that what was done by the Committee of Seventy, so far as the prosecution of cases against speculators was concerned, really amounted to nothing."

It was but a short time after this Committee had organized that Mr. Taintor, an experienced expert, also pro-

duced before such committee conclusive figures as to how the stealings had been divided by the Ring. In making the foregoing comments, the writer is not unmindful that at that time some of the judges in this city were or had been in harmony with the Ring, but he believes that there were some if not many of even those who would have been willing to assist in reform measures after they realized that the public had become thoroughly aroused. Experience has shown that where there is positive indication that honest people are to have their innings, even the most worthless characters on the bench, as well as in politics, always struggle to reach the front rank, and usually accomplish it to the great injury of reform. Such efforts are not based upon any honest motives, for they would surely return to their old courses if the reform wave receded. It is only to keep their past out of the mind of the public that they are anxious. An apt illustration of this was the conduct of Justice George G. Barnard, when he granted the injunction against the Ring to Mr. John Foley, on September 7th, 1871.

## CHAPTER XIV.

## BARNARD'S INJUNCTION.

MR. FOLEY, a citizen of this city, commenced an action in his own name against the Board of Supervisors, as reorganized under the Charter of 1870, The Mayor, Aldermen and Commonalty of the City, A. Oakey Hall, Richard B. Connolly, William M. Tweed and Peter B. Sweeney, as defendants. In his complaint he set forth most of the grievances which up to that time had been made apparent, and asked that an injunction be issued restraining the Board of Supervisors from raising taxes on real and personal property until the Board of Apportionment have first fixed the amount; also that the Board of Apportionment (Hall, Connolly, Tweed and Sweeney) be commanded to meet and fix the amount to be raised as required by law for the purposes of carrying on the City Government for 1871; also that the Board of Supervisors be restrained from auditing or ordering to be paid claims for larger amounts than had been set aside by the Board of Apportionment for the purposes of the County expenditures for 1871; also that no expenditures should be made, or expenses incurred unless an appropriation had previously been made therefor; also that the Comptroller should be enjoined from paying any claims against the City or County unless the same had first been audited according to law, etc.; and that the Comptroller be restrained from raising any more moneys during 1871, for paying expenses of the City government. This action was brought through Mr. Robert H. Strahan, as attorney

for Mr. Foley, and subsequently Mr. Francis C. Barlow and Mr. G. C. Barrett were associated with him as Counsel.

This action on the part of Mr. Foley had a most depressing effect upon Connolly and Tweed. Mr. Justice Barnard granted the injunction but must have known that Mr. Foley had no standing in court in such a proceeding, without the intervention of the Attorney-General, and that the application should have been denied. Whether the application was granted because Barnard saw benefit to himself by so doing, or whether it was done after consultation with Peter B. Sweeney to aid the latter's purpose of making Connolly the scapegoat for the others, is uncertain.

Tweed, in an interview with a *Herald* reporter, published October 26th, 1877, was interrogated on this point. He was asked:

"What made Judge Barnard take fright when the proceedings were first opened against the Ring?" He replied:

"We owe to Barnard all our trouble. That fellow was seized with the idea that he would be made Governor of New York by the action he took at the time. Nobody else could see how it was to come about, but Barnard thought he saw it, and he said: 'If there is no law or precedent for this injunction, I will make one.' So he put the injunction upon us, and in the straitened condition of our credit, which was so extended on every side, it broke us. You see our patronage had become so enormous and so costly that the injunction, which might not have troubled us at any other time, destroyed all our power to raise money from the banks or elsewhere and left us strapped. I had taken the Metropolitan Hotel; the furniture cost me \$192,000; the plumbing and gas fitting cost over \$200,000. I was paying \$90,000 a year rent, and every month I had to make up a deficit. That huge personal expense, added to other things, kept me under such constant pressure that, as I have said, my brain was threatened."

Mr. Tilden, in his comments on Barnard's injunction, which appear in an appendix to his reply to the *Times* comment upon him, and which he wrote and published in

January, 1873, takes about the same view as Tweed did regarding the motive which induced the issuing of the injunction by Barnard, and he believed that the injunction was specially aimed at Connolly, and that it was induced by Sweeney. He says, that the Sweeney plan was that Connolly should be indicted and Tweed should be allowed to go to Europe, and that the proper way was to deal with one at a time. Mr. Tilden says that the plot was to crush Connolly, and upon his ruin to reconstruct the Ring, and he used the following language: "For this object, as well as for concealment, the vouchers were stolen and burned and the crime charged on Connolly, and for this object also, in my judgment, the injunction and the denunciation in Barnard's opinion were specially leveled at him."

The Ring members had become very much excited, not only over the success which the Booth Investigating Committee was making in the examination of the records in the Comptroller's office, but also in regard to the motion for an injunction, which Barnard had not yet made permanent, and it was still doubtful what course Connolly, who had become alarmed at the situation as it affected himself, would adopt. It was apparently considered the part of wisdom by Hall and Sweeney to throw the burden of the crimes upon Connolly; and so as to render suspicion strong against him it was determined that the telltale vouchers should be destroyed. If that could be done two objects would have been attained, viz.: The destruction of the proofs against the Ring, and, as the act would occur in Connolly's department, suspicion would naturally attach to him. The attempt was made and was partially successful.

#### THE VOUCHER ROBBERY.

Mr. Tweed has given the public his knowledge of this affair. Before the Aldermanic Committee of 1877, he testified under oath to a conversation he had with A. Oakey Hall, then Mayor, relative to the vouchers in the Comptroller's office, and said that Mr. Hall suggested to him that if the vouchers were not examined the prosecutions against the Ring would be broken down. Tweed took the hint and

said he thereupon consulted with Mr. W. Hennessey Cook, who at that time was at the head of a bureau in the Department of Public Works, as to the possibility of obtaining access to the vouchers and destroying them. He said that Cook examined the Comptroller's office, and reported to him that he believed the vouchers could be obtained and destroyed, and he assured Tweed that if he left the matter in his hands it would be attended to. It was subsequently learned that the Booth Committee had called upon Comptroller Connolly about this time to produce certain vouchers, and Mr. Connolly having learned from Tweed what was going on requested a delay of a few days. During that interval Cook, as he informed Tweed, obtained access to the rooms of the Comptroller and carried away and destroyed a number of the vouchers. Whether or not any one was engaged with him in the enterprise, Tweed was never informed, and said that Cook declined to speak on the subject. If William Hennessey Cook was ever indicted for the burglary the writer does not recall the fact. He was indicted for forgery in the third degree on May 18th, 1872, and Mr. John F. Chamberlain, a gentleman of sporting proclivities, became his bail in five thousand dollars, and then Cook joined the Americans abroad. It is believed that the courtesy which was later on extended to Mr. Sweeney to return and submit to a trial, was never extended to Mr. Cook. On the back of the indictment against Cook for forgery is written, "Another forfeiture of another recognizance of similar amount, five thousand dollars, same surety."

If Tweed's statement is true regarding the destruction of the vouchers, Mr. Hall's letter to Connolly on the 11th (the day after Cook had destroyed the vouchers) and Connolly's reply thereto on the following day are made quite clear and are amusing. Hall asked for Connolly's resignation from the Comptroller's office on the ground that he had "just heard that the office had been invaded and that valuable vouchers had disappeared," and he therefore concluded that Connolly was an improper custodian of public documents. Hall must have realized afterward that Tweed had let Connolly into the secret of Cook's movement. Con-



nolly was thoroughly posted on the subject, so he replied to Hall "that he did not think the loss of the vouchers was a sufficient reason for resigning his trust."

After Connolly had refused to resign his office to Hall and had deputized Mr. Green to act for him, Hall undertook to remove him, and offered the appointment to General McClellan, who declined to accept it if his position was to be contested. The Ring now saw the absolute necessity of getting Connolly out so that Green would no longer have the office under his control. Members of the Booth Committee had originally been chosen at the suggestion of Mr. Hall, but they had not met his expectations. That Committee was composed of different men from the Astor-Taylor Committee of 1870, and they were constantly bringing to the public eye a mass of official corruption which was simply astounding.

Nothing could check the activity of this committee, but when they applied to the Board of Supervisors, which had previously appeared friendly, for authority to compel the appearance before them of persons and papers, the request was refused on the ground that the Board had not the power to grant it. It had become plain to the members of the Ring that if Green could not be removed, they could not stop the damaging evidence which was daily being brought to the surface. About that time, Mr. Charles O'Connor in a published opinion, took the ground that Mr. Connolly had a legal right to depute Mr. Green to act as his representative, and to invest him with full powers. Mr. Richard O'Gorman, the Counsel of the Corporation, then advised Mr. Hall to recognize the act of Connolly in that particular, and thereafter he did so.



## CHAPTER XV.

## CONNOLLY'S SURRENDER OF HIS OFFICE.

ON September 16th, 1871, Mr. Connolly met Mr. Havemeyer at Mr. Tilden's house and it was then agreed, as Mr. Connolly understood it, that Connolly should be protected if he would appoint Mr. Green his deputy and confer his power as Comptroller upon him. Connolly consented to do so, and on the same day Green was sworn in and at once took possession of the Comptroller's office.

It is probable that Connolly's spirits had become somewhat revived at this time by the action which his friends took on the 6th of the same month. They called a public meeting at Foley's Hotel, in Centre Street, to extol his merits as a public official, and Mr. Richard Croker's name was prominently mentioned the next day in the newspapers as one of the callers of such meeting.

On the day previous to Connolly's visit to Tilden, the former had an interview with Tweed, Sweeney and Garvey. In that interview it became apparent that he and Garvey were expected to bear the brunt of the battle, and it was even suggested that they two should run away and thus turn public attention to them as the guilty parties. The other part of the suggestion was that Tweed, Sweeney and Hall should remain behind until terms of settlement were made and then Connolly and Garvey might return.

Neither Connolly nor Garvey would consent to such an arrangement. Garvey realized that he had no political strength, and fearing the result of such schemes at once

fled. By his wife's advice, he returned later and made his peace with Mr. O'Connor, for which she had previously arranged. Connolly was really the weakest member of the Ring. He had been in the habit of obeying, and this was about his first departure from that rule; but the innerworkings of his office had been exposed in the *Times*, he had been stringently enjoined by Barnard from making any further use of public money and his associates were seeking their own safety through his destruction. It was in a state of mind naturally induced by such reflections that he sought Mr. Tilden's advice. For Tilden, Connolly was a splendid catch. That gentleman realized at once what a great opportunity this afforded to advance himself in the minds of the people as a reformer. It is not at all likely however, even under such circumstances, that Connolly would have trusted himself to the tender mercies of Tilden had it not been that his old friend Havemeyer, under whom he had worked in a bank in this city for several years, had advised him to do so.

Mr. Tilden had at hand just the man he needed to carry out his design, in the person of his old social and business friend, Andrew H. Green, of whose skill in conducting affairs in the Central Park Board for many years he was not unmindful. It was under a promise of security to himself, made by Havemeyer to him in the presence of Tilden, as Rufus H. Andrews, who was his attorney, testified on the trial of Tweed, that Connolly made Green his deputy and gave him full authority to represent him as Comptroller. It is not at all likely that "Slippery Dick," as Connolly was usually designated, was troubled with any feeling of remorse when he opened the doors of his office to the Booth Committee and by such act gave full opportunity to unearth the crimes of himself and friends. He was the coldest and most unfeeling one of the gang, and he was doubtless happy in the thought of being able to hold on to his own millions and of having secured his own safety. Connolly met in Tilden a man against whom he was no match in *finesse*. Though virtually superseded by Green Connolly still made the Comptroller's office his headquarters, and he was in the habit of meeting the

public who had business there with the same bland smile as of yore. On November 25th he was seated in an inner room with Havemeyer and Tilden when Sheriff Brennan entered. Brennan and Connolly had not been friendly for a long time, but at this time Connolly needed all the friends he could command, so he arose and offered his hand to Brennan, who took it, but at the same time notified him that he was his prisoner.

Connolly immediately appealed to Tilden and said, "Mr. Tilden, I am arrested."

"No," said Tilden, looking surprised. "What is the bail, Sheriff?"

"One million dollars," Brennan replied.

"Let me look at the papers;" Tilden took them and walked to the window as if to examine them, and then returning them to the Sheriff remarked, "I am surprised at this; the bail is really one million."

Connolly soon after realized how much pity there was for him in Tilden's ejaculations of surprise, for his arrest was based upon a complaint to which the only affidavit attached was that of Tilden.

Upon Tweed's trial Tilden testified that he did not know that Connolly was to be arrested, but the surrounding circumstances would justify a belief that Mr. Tilden's memory at that time was treacherous.

Connolly was completely crushed. He saw that he had been trapped. He applied to Tilden and Havemeyer to go on his bail, but each declined. He was permitted to go to Delmonico's in Fourteenth Street, where he remained over night, and the next day he was taken to the Fifth Avenue Hotel, where he remained until the 29th. In the meantime his attorneys were busy trying to effect a compromise for him.

An article which appeared in the *New York Tribune* on June 9th, 1880, headed "Secret Ring History," purports to give a description of Connolly's negotiations in regard to the surrender of his department to Green; of his arrest; his offer of settlement and its refusal; his discharge from Ludlow Street Jail and his flight. So much as relates to the matter of settlement with Mr. O'Connor is here given.

The writer has no means of establishing the truth of such statement, as every one who had knowledge of it is now dead. It is proper to say however that Mr. Samuel G. Courtney, who was present at the time as one of Connolly's counsel, testified on the Tweed trial that the interview did occur at Connolly's house, but that Mr. O'Connor would not consent to accept any money from Connolly except on account of what was found due from him to the city after his accounts had been examined. Mr. Courtney further testified that neither he nor his associate counsel Mr. William A. Beach, would consent to the payment of moneys by Connolly on such conditions. The statement in the *Tribune* is as follows:

"Mr. O'Connor consented to accept the sum of \$1,000,000 as a settlement with Connolly and to release him, and it was agreed that Connolly's counsel and Mr. O'Connor should meet at Connolly's house on Park Avenue the evening of the 29th and that there Connolly should deliver \$1,000,000 in bonds. Shortly after the arrival of counsel, Mr. Connolly and Mr. Andrews went upstairs and returned with bonds of the value of \$1,000,000. It must have been apparent that Connolly was able to make a better settlement and Mr. O'Connor demanded \$500,000 more. Mr. Connolly was in favor of yielding to the demand, but Mrs. Connolly was as determined in refusing as Mr. O'Connor was in his demand, and remarked to her husband, "Richard, go to jail." Richard did sleep that night in jail. He remained a prisoner in Ludlow Street Jail until January 1st, 1872, and in the meantime every effort was made to secure bail for him. On December 31st, 1871, Sheriff Brennan adopted a bail bond, and on January 1st Connolly was released and at once left the State and never returned. It would seem strange, in ordinary times, that no detainer of any kind had been left with the Sheriff upon which he could hold Connolly if he succeeded in procuring bail in the civil suit in which he was imprisoned.

Unfortunately for the city, when the demurrer to the complaints in the actions brought by Mr. O'Connor against Tweed, Connolly and the others had been sustained in

the Court of Appeals, and all of Mr. O'Connor's labors were thus brought to naught, the bond which Brennan accepted for Connolly also became worthless. The result was that Connolly escaped, the city lost the \$1,000,000 he offered, and nothing could be secured from his bondsmen.

## CHAPTER XVI.

### HOW THE RING THIEVES WERE PUNISHED.

It is unnecessary to review at length what befell the subordinates of the Ring. The most of them were confessed thieves who aided their principals, knowingly, to rob the city of immense sums of money. The object of this work is only to warn the people of this generation against the supineness that existed in those days, and to show how "practical" politicians and "respectable" citizens at that time deprived us of an experience which might have been of lasting advantage. A detailed history of the dealings with each subordinate would fill too much space and a mere statement of what became of most of them will answer the purpose.

JAMES M. SWEENEY, a brother to Peter B., was indicted and fled. He died abroad.

HUGH SMITH did not run away, but died here. No action was ever commenced against him. He was not punished and none of the money he stole was returned to the city.

E. A. WOODWARD fled, returned and settled for \$155,000. He offered and was accepted as a witness against the principals and others.

ANDREW J. GARVEY was indicted and fled. He returned, offered and was accepted as a witness against the principals. He returned none of the money he had stolen.

JOHN H. KEYSER offered and was accepted as a witness averred that the City of New York then owned him a large stole was returned to the city.



J. H. INGERSOLL was indicted, convicted and sent to State Prison for five years, but shortly after his conviction was pardoned by Governor Tilden and offered and was accepted as a witness against the principals and others. He never returned any of the money he stole from the city.

GEORGE MILLER was sued, but the action was dropped and he paid back nothing. He offered and was accepted as a witness against the principals.

In the fall of 1871 THOMAS C. FIELDS, Corporation Attorney, and who had for five years been a commissioner on the Park Board, was arrested in a civil action for appropriating \$459,000 belonging to the Fire Department. He was subsequently indicted and fled to Canada. He was not extradited. No part of the stolen money was recovered from him, and he escaped punishment.

Actions were commenced and carried on against some banks and individuals, and fees were paid for professional services therein, but little money was recovered for the city.

As an instance of the easy manner in which some of the thieves were treated by reformers at that time, the treatment of Keyser, who was one of the worst of the subordinate thieves, will serve to illustrate.

On the 6th of October, 1871, Mr. Jackson S. Schultz, through the newspapers, notified the Committee of Seventy of which he was a prominent member, that Keyser had made an assignment to him, in trust, of all the real and personal property he had acquired since 1864 amounting to about \$650,000, and had made a clean breast of his complicity in the thefts against the city. That statement was published in all the newspapers of the time.

The day after he had told this story Keyser openly denied it, and claimed that he had never made a confession of his connection with ring frauds, but, on the contrary, averred that the City of New York then owed him a large amount—about \$300,000.

After this public denial of what Schultz had said, these two men to all appearances still retained their intimacy. Through the firm of Barlow, Hyatt and Olney, attorneys



who represented Keyser, as Mr. Olney testified before the Aldermanic Committee in 1877, and the former member of which firm at the time was representing the Committee of Seventy, actions were instituted against Tweed and many of his associates for the recovery of pay for work which Keyser claimed he had done without having receiving compensation, and the firm collected from such people about \$62,000 without any of the actions having been brought to trial.

After compensating themselves for their services, Messrs. Barlow, Hyatt and Olney turned over the balance of the money to Jackson S. Schultz, who agreed to hold it in trust to meet such demands as the city had against Keyser. Instead of retaining it for such purpose, however, Schultz commenced at once to lend the money to Keyser to enable him to go on with his business and he took back from Keyser, as security for the loans, second mortgages on Keyser's own property. These mortgages were prepared by Barlow, Hyatt and Olney. Keyser never returned the loans. He was never sued to recover his stealings, and the Comptroller's books do not show that either the money or securities have been turned over to the City or County of New York. Such a statement as the foregoing would be deemed incredible were it not that the facts were brought out in the testimony given by Messrs. Barlow, Olney, Schultz and Keyser, upon their examination before the Committee of the Board of Aldermen appointed to investigate the Ring frauds in 1877.

Mr. Schultz also testified at that time that Mr. Havemeyer, Mr. Tilden and various other gentlemen were cognizant of what he was doing, and promised him that a settlement should take place in regard to Keyser, as soon as possible after the excitement of the hour had passed away.

A brief synopsis of the testimony of Keyser before the same Committee showing his admission of guilt is not inappropriate here. He was asked:

Q. Were all your relations with the city and county

strictly honest and honorable? A. No, sir, I don't think they were.

Q. In what respect were they not? A. On a certain amount of bills there were 33 1-3 per cent. raised on the bills.

Q. Who raised them? A. I did.

Q. Did you make any arrangement? A. I made an arrangement with either Woodward or Watson.

Q. Who did you think was going to get it? \* \* \*

A. Mr. Tweed, Mr. Connolly, Mr. Hall, Mr. Watson, Mr. Woodward and Mr. Sweeney.

Not much trouble seems to have been occasioned in regard to the disposition of any of the rogues with the exception of Tweed, and therefore it may be as well to dispose of the rest of them in this chapter.

RICHARD B. CONNOLLY ran away on January 1st, 1872, and never returned and the city never recovered anything from him.

PETER B. SWEENEY sent in his resignation as President of the Park Board to Mayor Hall on November 1st, 1871. He was indicted and left for Canada, whence he went to France and joined his brother James. He subsequently returned and settled by paying \$400,000. He now resides here.

A. OAKEY HALL was tried upon an indictment charging him with a misdemeanor. Upon his first trial one of the jurors died. On his second trial the jury disagreed and he was not again troubled. He remained in this city for some time after this, but when Sweeney was invited to return from France for the trial of the civil action against him and it was supposed that Tweed would be a witness in the action, Mr. Hall went to England and remained there several years. He is now practising law in this city.

WILLIAM M. TWEED died in Ludlow Street Jail, and it is concerning his treatment that the further account of the Ring matters will be mainly devoted. It may be added, as will be shown more fully, that but very little of the \$30,000,000 stolen from the city has ever been collected. The gentlemen thieves who were allowed to retain their

stolen property and escape trial under the promise that they would testify against Tweed, Sweeney, Hall and Connolly, have had no work to do.

Does any one suppose that such a condition of society could have existed had not "respectable" citizens and the press to be protected?

## CHAPTER XVII.

## TAMMANY HALL IN 1872.

It may be well to call attention to the political condition of the Democratic Party in this city at the close of 1872.

It is evident that Tweed was a very popular man in this city even after the fearful exposures had been made of him and his associates and the public had been fully aroused to the enormity of their excesses. There was a tremendous gathering of his friends on the evening of September 22d, 1872, at the Tweed Plaza, near East Broadway. The public were then informed that Tweed would offer himself again for the suffrages of the people as candidate for State Senator, and that he expected to be re-elected. Ex-Senator John J. Bradley, Colonel Seaver and Colonel John R. Fellows were the principal speakers on this occasion. Tweed was renominated that year for the Senate and again elected by a large majority, but he never claimed his seat. Every effort was made that fall to defeat the Tammany delegation to the State Convention, which was headed by John R. Fellows. The reform delegation was nominally headed by Mr. Charles O'Connor, but he did not attend the Convention. In spite of the exposures which had been made, the Fellows delegation was recognized as regular, but the feeling against the leaders in this city was so strong that the delegation did not think it wise to contest for their seats. The speeches made in the Convention by the leading Democrats of the State indicated

that the Ring had received its death blow, and the election of the Reform ticket in this city, with the single exception of Mr. Tweed, quite determined that question.

James O'Brien was elected to the Senate in the fall of 1872, and Mr. Tilden was elected Member of the Assembly in the same year. At the next election of Tammany Sachems it was also apparent from the changes that the Ring chiefs had entirely lost their grip. The change was the following:

1871.

*Grand Sachem,*  
William M. Tweed.

*Sachems:*

Richard B. Connolly,  
Peter B. Sweeney,  
A. Oakey Hall,  
Joseph Dowling,  
Samuel B. Garvin,  
Etc.

1872.

*Grand Sachem,*  
Augustus Schell.

*Sachems:*

Charles O'Connor,  
Samuel J. Tilden,  
John Kelly,  
Horatio Seymour,  
August Belmont,  
Abram S. Hewitt.

## CHAPTER XVIII.

## CHARLES O'CONNOR LEADS REFORM.

ON October 17th, 1871, the Attorney-General authorized Mr. Charles O'Connor to represent him in suits to be commenced in Ring matters and to bring such actions in the name of the State as he might think proper. He at once accepted the honor and associated with himself Mr. William M. Evarts, ex-Judge James Emott and Mr. Wheeler H. Peckham, and established a bureau which was designated "Bureau of Municipal Correction." What part Messrs. Evarts and Emott thereafter took is not publicly known and the labor mainly devolved upon Messrs. O'Connor and Peckham.

Civil actions were at once commenced against Tweed, Woodward, Ingersoll and Garvey, but such actions came to grief.

At the opening of the year 1872 the main actions existing against members of the Ring or their confederates were the civil actions commenced by direction of Mr. O'Connor and those which were brought by Mr. O'Gorman. The misfortunes which attended O'Connor's actions not only had the effect of weakening the hopes of reformers, but must have had the effect of rendering unhappy the last days of one of the first lawyers of our State.

It has been said that *after* Mr. O'Connor had commenced his actions against Tweed and others and made the State plaintiff, Mr. O'Gorman, as counsel to the Corporation, and at the instance of Mayor Hall, commenced

actions against the same parties, bringing the suits in the name of the "Supervisors."

The facts do not fully justify such a statement, as is shown by the testimony given by Mr. O'Gorman on the Tweed trial, and by the exhibits which were there produced.

It appeared on that trial that on October 28th, 1871, Mr. O'Connor wrote to Mr. O'Gorman, and in his letter recognized a call which Mr. O'Gorman had previously made upon him, and he requested Mr. O'Gorman to let him know in writing what proceedings he had taken against the Ring members. In that letter Mr. O'Connor referred also to a conversation on the same subject which had previously passed between them. On the same day Mr. O'Gorman replied and informed Mr. O'Connor that he had already commenced action against Mayor Hall, and served him with a summons.

All the pleadings in the actions which had been commenced by Mr. O'Gorman were introduced in evidence on the civil trial of Tweed, and were made exhibits in the case, and by them it appeared that all the actions brought by O'Gorman up to that time antedated those which had been commenced by Mr. O'Connor.

The action brought by Mr. O'Connor against Tweed and others was the first one which had been prepared by him. The complaint was sworn to by Mr. Tilden and was dated October 24th. The date of the summons in the action brought in the name of the Supervisors against Tweed by Mr. O'Gorman was October 18th. It is rather a singular coincidence that, at this time when Mr. O'Gorman's integrity was being questioned, Mr. O'Connor was a surety upon his official bond.

The attitude that Mr. O'Connor assumed was that the actions by O'Gorman were not brought in good faith, but were induced by a rumor that application had been made to the Attorney-General for authority to Mr. O'Connor to commence actions in the name of the State against the speculators, and that the O'Gorman actions were brought by the direction of Mayor Hall, in aid of the Ring and to obstruct the reform movement.



Mr. O'Gorman before commencing his actions, took the advice of Messrs. George Ticknor Curtis and of ex-Judge Porter. They advised him that it was his duty to commence actions if directed to do so by the Mayor, provided he could see any good ground therefor, and that the proper form of bringing such actions was in the name of the Supervisors of the County.

Whether the actions by Mr. O'Gorman were, or were not brought in good faith, the position in which Mr. O'Connor found himself when appointed to represent the Attorney-General was a trying one. The persons against whom he was compelled to take action still had control of the city government. The Comptroller's office alone had been captured. The judges, Civil and Criminal, were mainly creatures of the Ring. Mr. O'Connor might well have believed that O'Gorman's movements were intended to aid the Ring people, and that his only chance for recovering any of the stolen money or of punishing the thieves would be through the Attorney-General's office. He did not, however, adopt this course exclusively from such reasoning. He always insisted in his writings as well as in his conversation that the stand he took in bringing his action in the name of the "State" was strictly correct, and so sure was he of his position that he criticised in harsh terms the opinion given by Mr. Curtis.

To the complaints drawn by Mr. O'Connor, Tweed's lawyers and the lawyers representing others who were sued about the same time, demurred, mainly upon the ground that the County of New York was not made a party to the action. Before the General Term of the Supreme Court Mr. O'Connor was successful and the demurrer was overruled. On the appeal which was then taken to the Court of Appeals from the order of the General Term, the Ring was successful, as the Court of Appeals reversed the General Term and sustained the demurrer.

This blow was severe upon Mr. O'Connor, who had been most arrogant toward gentlemen of distinguished position at the Bar who held contrary views from his on the subject. When the Court of Appeals had stamped their disapproval of his labors, virtually telling him that his complaint had

been brought under an erroneous conception of the law, his vanity was sadly piqued, and he seemed to feel that he had fallen from the lofty position in which he stood as leader of the Bar in this State. So bitter was he in his attack upon the Court of Appeals and its different members, that he even intimated that venal considerations had governed some of them in deciding against him. Distinguished members of the Bar throughout the State openly joined in condemnation of his course. To make the burden harder for him to bear, the same Court directed the discharge of Tweed from imprisonment on Blackwell's Island, where in December, 1873, he had been committed by Justice Noah Davis to serve a term of twelve years and to pay a fine of \$12,750. This indictment against Tweed was for misdemeanor and was the only indictment upon which he was ever tried.

In many respects that criminal trial of Tweed was an important one. Messrs. Wheeler H. Peckham, Henry L. Clinton, Lyman Tremaine and Henry C. Allen, Assistant District-Attorney, appeared for the people, and Willard Bartlett, Elihu Root, William Fullerton and John Graham represented the defendant. In the indictment Tweed was accused of a large number of misdemeanors, which were set forth in as many separate counts. He was tried and convicted on most of the counts. The trial was had before Justice Noah Davis and a jury in the Court of Oyer and Terminer, and several successive or cumulative sentences were pronounced against him for these offences. For a single offence the utmost punishment allowed by law was one year's imprisonment and a fine of \$250.

Tweed spent one year in prison, paid \$250, and then sued out a writ of habeas corpus, claiming a right to be discharged from further imprisonment. The writ was dismissed in the Supreme Court, but upon appeal to the Court of Appeals it was sustained and he was discharged on the ground that while an indictment might contain any number of counts, the Court had no jurisdiction to impose any greater amount of punishment than that prescribed for one offence. The writ was opposed upon the ground that such a result could not be brought about by means of

a writ of *habeas corpus*, as a Court has no jurisdiction to hear a motion for discharge if it appeared, as it did there, that Mr. Tweed was detained upon a final commitment.

This was not only severe upon Mr. O'Connor and unfortunate for the reform element, but was a snub to Justice Noah Davis, who was looked upon as a leader in reform movements.

Upon the trial of Mr. Tweed on the indictment just referred to, the counsel for Tweed were declared in contempt for having suggested in a letter to Judge Davis that the latter was biased, and for intimating that another Judge would be preferred to hold the trial. At the close of the trial they were fined by him \$250 each, which, to the surprise of many members of the Bar, they paid.

Little was accomplished beyond what has been mentioned, during the interval which elapsed between the commencement of Mr. O'Connor's actions in the name of the State and the disposition made of them in the Court of Appeals in 1875. Issue had been joined in the action brought by Mr. O'Gorman in the name of the Supervisors, and it had been placed on the calendar, and Mr. Willard Bartlett, who was one of the attorneys in the case, testified on the Tweed trial that it was at that time on the calendar.

The following is a list of indictments which were found against Tweed between 1871 and 1873, none of which were ever tried:

#### COURT OF GENERAL SESSIONS OF THE PEACE.

1871.

December 15th, Wm. M. Tweed,	Felony.
December 18th, Wm. M. Tweed, <i>et al.</i> ,	Forgery, 3d degree.
	Two indictments.
December 18th, Wm. M. Tweed,	Grand Larceny.

1872.

February 3d, Wm. M. Tweed, <i>et al.</i> ,	Forgery, 3d degree.
February 3d, Wm. M. Tweed, ,	Felony.
February 3d, Wm. M. Tweed,	Grand Larceny.

## COURT OF OYER AND TERMINER.

1872.

October 17th, Wm. M. Tweed,	Felony.
October 17th, Wm. M. Tweed, <i>et al.</i> ,	Misdemeanor.
	O m n i b u s indictment.
	(Convicted on this)

1873.

February 20th, Wm. M. Tweed, <i>et al.</i> ,	Forgery, 3d degree, 3d indictment.
February 20th, Wm. M. Tweed, <i>et al.</i> ,	Forgery, 3d degree, 3d indictment.
February 20th, Wm. M. Tweed, <i>et al.</i> ,	Misdemeanor, 7th indictment.
February 20th, Wm. M. Tweed,	Felony, 2d indictment.
November 22d, Wm. M. Tweed, <i>et al.</i> ,	False pretenses.

1875.

June 16th, Wm. M. Tweed, <i>et al.</i> ,	Conspiracy.
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## CHAPTER XIX.

## TWEED'S ESCAPE FROM JAIL.

AFTER the Court of Appeals had decided adversely to Mr. O'Connor, the latter caused to have passed by the Legislature an Act authorizing him to bring such actions in the name of "the State," and upon the day when Tweed was brought from Blackwell's Island into the Supreme Court to be discharged from imprisonment, he was served with process in another civil suit, in the name of the "State," as plaintiff to recover \$6,000,000, and his bail was fixed at \$3,000,000. It was impossible for Tweed to furnish that amount of bail and he was thereupon committed to Ludlow Street Jail.

Tweed's finances at this time had become much reduced and the prospect of his being able to pay any very large amount of the \$6,000,000 demanded of him was remote. Appearances indicated that he was likely to be an expense to the County for an indefinite time. Tweed had always been permitted more privileges in the jail than prisoners generally enjoy, and whenever he felt so inclined he was permitted to drive to Central Park with his son and others, accompanied in another carriage by the sheriff or his deputy, and frequently they stopped at Tweed's house on Fifth Avenue, for dinner.

On the 4th of December, 1875, as Harry Genet had done before him, Tweed requested the deputy sheriff to wait in his parlor for him for a few minutes while he went upstairs. He then escaped through the front door. He re-

mained in hiding around New York for several weeks and then fled to Cuba, and subsequently he found his way to Spain, where he was arrested. There are many who believe that it was considered desirable by his prosecutors that he should forever absent himself, and who think that the deputy who had him in charge was not very apprehensive that he would be seriously punished for his negligence.

Sweeney had gotten out of the country without much trouble, Connolly had no difficulty in escaping, and it would have been a relief to many if Tweed would disappear. There is no one now living who could prove any arrangement by which Tweed escaped, but many circumstances point in that direction.

Our Government had no difficulty in inducing Spain to return Tweed, and possibly if France and Switzerland had also been requested they would have returned Connolly and Sweeney. Tweed believed that Mr. Tilden applied to our Government and demanded that a request to the Spanish Government be made for his return, and he believed that as Tilden was a Presidential candidate, such request was considered by the Republicans as a mere piece of buncombe on his part, and that Tilden had no idea the Government would make such request, there being no extradition treaty under which such return could be insisted upon.

So that it should not appear to refuse Tilden's demand, and under the belief that if Tweed should possibly be returned he would divulge matters of political interest as between Tilden and himself, the State Department made such request, and, to its surprise, Spain recognized the request and returned him.

Tweed was brought back in the United States ship "Franklin," and was returned to Ludlow Street Jail November 23d, 1876. . Certain it is that the Republicans believed they would be benefited by Tweed's return, for his baggage was taken in charge at once and carefully guarded from the moment it was seized in Vigo, until it was delivered to the authorities here, when it was carefully examined before it was returned to Tweed. The

newspapers stated at the time that Tweed made threats that he would expose Mr. Tilden if he ever discovered that he had any hand in compassing his return. The writer from the time of Tweed's return until his death had almost daily intercourse with him and never heard him suggest a willingness to compromise Mr. Tilden.



## CHAPTER XX.

### FAIRCHILD'S AGREEMENT WITH SWEENEY.

WHILE Tweed was absent in Spain and not expected to return, Mr. Fairchild, then Attorney-General of the State, entered into a remarkable agreement with Peter B. Sweeney. The following is a copy of the invitation he extended to Mr. Sweeney to return to this city. It speaks for itself. It bears no date:

### NEW YORK SUPREME COURT.

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THE PEOPLE OF THE STATE OF NEW  
YORK,

*against*

PETER B. SWEENEY AND THE MAYOR,  
ETC., OF NEW YORK.

---

It is hereby stipulated and agreed that in the event of the Defendant, Peter B. Sweeney, attending upon the trial of this action, he shall not be arrested on process, civil or criminal, at the suit of the people of the State of New York, or of the Mayor, Aldermen and Commonalty

of the City of New York, or of the County of New York, or of any taxpayer or other person or persons, or corporation, claiming to sue or prosecute on their own behalf or in behalf of or in right of the interest of said people of said City or County, prior to, or during said trial, nor for the period of thirty days subsequent thereto, nor any order of arrest or other process, civil or criminal, against his person shall be issued against or served on him during the period aforesaid.

And it is hereby further stipulated, that during the trial aforesaid, he shall not be arrested or called for trial on any indictment which may have been found against him individually, or in connection with others, and that during the said period no criminal complaint shall be made or indictment found against him.

It being the intent and purpose of this stipulation that Peter B. Sweeney shall be unmolested after his arrival in the City of New York and for thirty days after the trial of this action, provided that the plaintiffs may at any time put an end to this stipulation, and any rights of defendant Sweeney thereunder, by giving to the attorney of said Sweeney thirty days' notice of the intention so to do; after the expiration of thirty days, Plaintiffs shall be free to act as if this stipulation had never been made.

CHARLES FAIRCHILD,

*Attorney-General.*

BENJAMIN K. PHELPS,

*District Attorney of New York.*

WILLIAM C. WHITNEY,

*Corporation Counsel.*

WHEELER H. PECKHAM,

*Assistant Counsel.*

The unexpected return of Tweed quite changed the appearance of affairs so far as Sweeney was concerned. He knew that a verdict would certainly be obtained against him if the testimony Tweed could give was added to that of other witnesses, and he felt that if he could not get rid of Tweed's evidence he might better remain

abroad. Through the consideration shown him by Fairchild and his associates under their agreement, Sweeney realized that it was not dangerous for him to come here and manage his own affairs. By their stipulation he could not in any way be molested by any official in the city, and if judgment was obtained against him he had thirty days in which to leave the country before any action could be taken against him personally. He came even under this agreement and fully availed himself of all his privileges, even to the extent of refusing to appear before the Aldermanic Committee in 1877. From the time when it became a question whether Sweeney should be protected, or whether Tweed should be the means of affecting great public good by exposing corrupt Legislators, Judges and others, all the political influence which aimed at concealing public corruption, was focused and brought to bear in favor of Sweeney.

It must be remembered that after Tweed escaped there was no one left here of the Tweed Ring proper but A. Oakey Hall, and it appeared from the testimony of Mr. Peckham, before the Aldermanic Committee, that no civil suit had ever been commenced against him. The public had now become almost indifferent, nearly all the subordinate confederates had been released as witnesses, and had scattered, there being no one for them to appear against.

At such a time, naturally Sweeney desired to return to America and have the action against him brought to trial. His property, to the extent of about \$600,000, had been attached in this State, and under such circumstances was of little benefit to him. Tweed was absent from the country when the invitation was extended, and such must have been Sweeney's reasoning when he accepted it and came over.

## CHAPTER XXI.

## TWEED'S POSITION.

THE writer's association with Mr. Tweed came about through E. A. Woodward, for whom the writer had previously appeared professionally. Woodward was not in this State at the time the writer was retained for him, but the advice which was given him to return and pay back as much of the ill-gotten property as he could and to offer himself as a witness in all the fraudulent transactions in which he had participated was considered good, and when such offer was made to Mr. O'Connor by the writer, on behalf of Woodward, it was accepted by him.

Woodward restored \$150,000, was discharged from imprisonment and ever afterward held himself in readiness to be called as a witness. Upon Tweed's return from Spain Woodward advised him to consult the writer and he did so. At first it was not an easy matter to induce Mr. Tweed to pray for mercy. When he had made up his mind to adopt such a course he was absolutely faithful to his determination.

The writer called upon Mr. O'Connor at his residence in Fort Washington soon after Mr. Tweed had expressed a willingness to adopt the course Woodward had taken, to learn what sort of a reception such an application from Tweed would meet with. At first Mr. O'Connor would not believe that Tweed could be induced to make a proposition of that kind, and the writer well remembers Mr. O'Connor's views as then expressed. He remarked, "that

the spectacle of Tweed upon his knees asking for mercy and consenting to be a witness against his associates in crime would have more effect as a preventive against future associations of like nature, than would the recovery of all the money that had been stolen." When the writer informed Mr. Tweed of Mr. O'Connor's views he wrote a letter to him (Mr. O'Connor), of which the following is a copy:

"LUDLOW STREET JAIL,  
NEW YORK, Dec. 5th, 1876.

CHARLES O'CONNOR, Esq.,

SIR: I take the liberty of addressing you this letter in view of the fact that your position as counsel for the State authorities is professed solely for the public good regardless of any factions or personal interest.

Heretofore I have responded in the courts and met my troubles with every resource at my disposal. *Possibly* in the mistaken sense of duty I have stood up too long to shield others as well as myself, bearing such losses and punishments as were meted out to me in my misfortunes, and it was truly in the interests of others, more than in my own, that litigations and resistances were prolonged. Viewing the manner of my return to the Wards of this Prison, realizing the events in the City, in the State, and in the Nation which I am brought here to confront, it will not, I hope, seem to be a presumption or insincerity in me to say to you that I am indeed overwhelmed; that all further resistance being hopeless, I have now to make and only seek the shortest and most efficient manner in which I may make unqualified surrender. It is not my purpose to appeal or further resist the suits which you have against me in the name of the State or the people. I propose forthwith to place at your disposal a full surrender of all I have left of property or effects and respond at once to such examination in this connection as may assure you and the public of the good faith of the assignment as well as show the entire amount and disposition of all I have possessed as far as you wish it to be detailed.

I am an old man, greatly broken in health, and cut down in spirits and can no longer bear my burden, and to

mitigate the prospects of hopeless imprisonment, which must speedily terminate my life, I should, it seems to me, make any sacrifice or effort. During the early stage of the suits and proceedings against me, I was ready to make restitution and reparation as far as in my power. Entanglements with interests and counsels of others delayed and defeated this. I regret that now my means have become so utterly inadequate. I would not make this futile offer if I had not had some assurance through your published statements that the vindication of principle and the prospect of permanently purifying the public service was the object you have in view as being more desirable than the recovery of money. If in any manner you see fit to use me for such purposes, I shall be only too glad to respond, trusting implicitly in your high reputation and character. I ask only to make a slight reservation, not as regards myself, wherever others are concerned, and leaving my property and personal interests to be put to the fullest examination and publicity. I hope to have any matters affecting other persons restricted to your *personal* knowledge and discretion. Knowing as you do every material fact already it would be unavailing for me to withhold any details you may demand. I only ask in qualification that your more reliable judgment shall take the responsibility of publication and the use of such matters only as may be necessary for the ends you may wish to advance. For the present I have no legal counsel. I shall not employ any except to aid in the spirit of this communication, and conform to the usages of the courts.

I send Mr. Dewey, who was at one time employed by me as my secretary. He is directed to receive any instructions or suggestions from you and to answer in detail as to my affairs.

Very truly yours,  
WILLIAM M. TWEED."

The writer called upon Mr. O'Connor shortly after the delivery of that letter, to receive his reply and to hear his comments. To his surprise, Mr. O'Connor returned the letter, saying he had concluded to retire from further participation in Mr. Tweed's case. He remarked that Mr.



Tweed's letter left the determination of the question of the exposure of others for him alone to decide, as he understood it, Mr. Tweed offered to show to him only until his discharge was agreed to, the proofs against others which he could present. Mr. O'Connor added that he had taken Mr. Tweed's letter to Mr. Tilden's house and had read it to him, and that Mr. Tilden would not consent that he, O'Connor, should give assurance of freedom to Tweed until he, Tilden, had inspected the proofs which were offered. Mr. O'Connor informed the writer that when Mr. Tilden had so expressed himself, he took his hat and bade Mr. Tilden good evening. Pressure was brought to bear upon Mr. O'Connor to induce him to reconsider his determination, but to no purpose. Nothing was then left for Mr. Tweed to do but to make the same application to the Attorney-General as he had done to Mr. O'Connor, in the hope that the influence of Mr. O'Connor's views, as expressed, would have its effect. Of course Tweed was aware that when he applied to Mr. Fairchild, who was then Attorney-General, that he was submitting himself as much to the tender mercies of Mr. Tilden as if he applied to him personally, and he realized that the effort he had made to avoid Mr. Tilden by applying to Mr. O'Connor, had failed.

Mr. Fairchild is the son of a lawyer who resided in the interior of the State, who at the time was one of the principal attorneys of the New York Central Railroad. It may have been that influence which made this son the Attorney-General of the State when Tilden became Governor. Mr. John Bigelow was Secretary of State under Tilden; and Lucius Robinson, who succeeded Tilden as Governor, was Comptroller under Tilden. The terms of office of Fairchild and Bigelow so continued that when Robinson became Governor, they held office for a part of his term. Tweed and his friends recognized the combination, and were perfectly certain that Tilden's will would be Fairchild's law, and their judgment was not at fault.



## CHAPTER XXII.

## IN FAIRCHILD'S HANDS.

THROUGH Fairchild's incompetence or misconception of duty, the benefit of Mr. Tweed's testimony against the thieves in the Legislature and against his confederates in this city, with all the moral effect so much desired by Mr. O'Connor, was lost.

When Tweed, by Mr. O'Connor's withdrawal, fell into the hands of the political Ring in Albany, it was determined that he should be held for political capital, and at first efforts were made to induce him to testify against men whom he declared he had no grounds for complaint; as, for example, Governor Hoffman and Thurlow Weed.

When the Senate Committee was in session here to inquire into the charges which had been made through the press concerning corruption in the Senate, word was sent to Tweed, through Mr. John Kelly that it would be to his advantage to testify before that Committee regarding the moneys he had expended in the Senate. Tweed felt outraged at the suggestion. When he made his assurance to Mr. O'Connor of willingness to testify, he did so without any intention of obtaining his freedom by promoting Mr. Tilden's political schemes. He intended to fulfil to the letter the assurances he had given to Mr. O'Connor, without fear or favor. He should have realized that what Mr. O'Connor regarded as the most valuable contribution he could make toward reform, would be considered in a different light entirely by men who were governed by interested motives.

Had Tweed determined to obtain his freedom by other than an honest statement of what he knew and of what he had done, he might have gone to the fountain head and learned just how far it was desired he should go and whose names he should forget to mention. He certainly would not have antagonized the Fairchild family by mentioning his connection with the Central Railroad. He would have seen the wisdom of remembering some kind of unworthy deeds of Mr. Thurlow Weed and others, and when he was called as a witness before the Senate Committee, known as the "Woodin Committee," he would have informed himself what was "advisable" for his own interest that he should say.

When Mr. O'Connor retired, Mr. Fairchild became the figurehead of the Tilden negotiations and Mr. Peckham became his representative here. Other officials were at times consulted in regard to the evidence which Mr. Tweed could give, and some of them obtained from him at various times information in regard to the cases in their hands, but Mr. Peckham was the recognized representative of Fairchild in this city so long as the latter was Attorney-General.

The writer does not deem it necessary for the purposes of this work to specify in detail all the indications of unfairness, that marked Mr. Fairchild's treatment of Mr. Tweed. The great daily journals of this city will live long after this book has passed away from remembrance, and to those who wish to learn such details the writer refers to any of the daily journals of this city published on June 21st, June 27th and July 7th, 1877.

It is necessary, however, if this work is to be of value as a warning, that a correct understanding is had of how the political reformers of that day conducted prosecutions which involved such great public interests. The strongest indications possible that Mr. Tweed intended to act honestly when he wrote to Mr. O'Connor, and even after Mr. O'Connor's retirement, when he felt that his only alternative was an appeal to Fairchild, is apparent in his treatment of the letters which he received from the distinguished attorneys who, in all the legal battles he

had in court against the reform lawyers, had brought him through successfully.

“OFFICE OF FIELD & DEYO.

January 27th, 1877.

SUPREME COURT.

---

THE PEOPLE, ETC.,

*vs.*

WILLIAM M. TWEED.

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DEAR SIR:

We have to-day received the orders of the General Term affirming the Judgment against you in this case, and the order for an allowance of \$60,000. We expected no less, but feel very confident that both the judgments and the order will be reversed in the Court of Appeals, if appeals are taken. The only security necessary in order to perfect the appeal from the judgment, is an undertaking in five hundred dollars for cost, with two sureties who will justify in \$1,000 each, and a similar bond is required in an appeal from the order. When the appeal was taken to the General Term and the cases were prepared, a sufficient number were printed to go to the Court of Appeals, so that there will be no expense for printing, except the printing of the points, which will probably not exceed \$100. Please let me know at once whether you desire an appeal to be taken. As the cases have a preference they can be argued within two months.

Yours truly,

FIELD & DEYO.

WILLIAM M. TWEED, ESQ.”

To this letter Mr. Tweed did not reply. He had hardly

recovered from the shock occasioned by the reflection that it was really to Tilden, whom in his palmy days he had treated with contumely, that he was forced to appeal. It was hard to hold fast to his promise under such circumstances. His attorneys, in whom he had the utmost confidence, gave it as their opinion that the judgment against him would be reversed upon appeal, and that the expense to him in appealing would be insignificant. He hesitated until he received the following letter:

“OFFICE OF FIELD & DEYO.  
February 12th, 1877.

SUPREME COURT.

THE PEOPLE, ETC.,

*vs.*

WILLIAM M. TWEED.

DEAR SIR:

I wrote you the other day in relation to an appeal from the judgment and the order in the case. The Attorney-General has to-day served us with a copy of the judgment. The order for an allowance was served on the 27th day of January, 1877. We have but sixty days to appeal from the latter. If you should determine to appeal from the judgment, both appeals had better be taken at the same time. I wish therefore you would inform me at once whether you do or do not wish the appeal to be taken herein. I hope you will reply, as if I do not hear from you I shall have no certainty that this note has reached you.

Yours truly,

DUDLEY FIELD.

WILLIAM M. TWEED, Esq.”

Of his own volition Tweed replied to Mr. Field on the same day that he received the last letter to the effect that he would abide in the future by what he had suggested in his letter to Mr. O'Connor. On the same day the writer sent to Mr. Fairchild a copy of the letter to Mr. O'Connor which Mr. Tweed first wrote to him. This letter was followed by a statement to the Attorney-General, of what Tweed was willing to do for his discharge from imprisonment.

[*A complete copy of the statement referred to was published in full in the New York "Herald," October 10th, 1877.*]

Several weeks were consumed by the writer in preparing the original documents. They contained the names of a great number of public men with whom Tweed had had corrupt dealings, copies of many checks to sustain his statements, and the names of persons who would further corroborate his testimony. In his statement he also referred to a great many claims against the city which he could prove to be fraudulent.

Briefly: Mr. Tweed's offer as submitted was as follows:

First: That he would surrender all his real and personal property, if all were required, and to satisfy the Attorney-General that the schedule of his property annexed was correct and that he was holding nothing back, he would not only submit to as rigid examination as might be considered necessary, but would make over to the State by full and general assignment all property then in his control, in which he was or had been interested since 1870.

Second: He would furnish valuable testimony in favor of the City of New York in various suits instituted against the city, among which were the "Navarro Meter Suit," "The O'Brien Claim," and the "Nelson Sewer and Pipe Contract Suit." By his own testimony in connection with the evidence of others who had promised to corroborate him, he believed he could save to the City of New York more than \$2,000,000.

Third: He would transfer to the Attorney-General all the checks in his possession which were set forth in an annexed schedule. With his own testimony in regard to

these checks, which could be supported by others, he thought the return of a large amount of money could be enforced.

Fourth: He would agree to appear as a witness in favor of the people whenever requested so to do by the Attorney-General, in any and all cases where his testimony was considered by the Attorney-General to be valuable.

Fifth: He agreed to devote himself, if discharged from imprisonment, with as much diligence in carrying out these promises as he had hitherto done in favor of his associates in crime.

From the time when Mr. Tweed first addressed Mr. O'Connor after his return, he and his counsel were constantly visited by one Carolyn O'Brien Bryant. The writer first met him at the residence of Mr. O'Connor, where he seemed to be on terms of business intimacy. Later it became known to the writer that Bryant had begun to communicate with Mr. Tweed some time prior to the time when the writer was retained and about the time when the agreement was made with Fairchild for the safety of Sweeney, if he would return to this country.

From the easy manner in which Bryant discussed proceedings in which Mr. O'Connor was engaged, and from messages which he brought or pretended to bring from that gentleman, Tweed was led to believe that he was a private messenger, and to a considerable extent he gave him his confidence.

After Mr. O'Connor had turned the management of Ring matters over to Attorney-General Fairchild, Bryant turned up as a confidant of Mr. Fairchild, and always spoke and wrote of him in terms of easy familiarity, which was emphasized by a call upon Tweed in Ludlow Street Jail, made by Fairchild with Bryant during the absence of his counsel.

This call was on March 27th, while the statement of Mr. Tweed was in preparation and twenty days before it was handed by the writer to Mr. Fairchild. On this occasion, as Mr. Tweed informed the writer, Mr. Fairchild remained there with Bryant for two hours and took a statement away with him together with papers having reference to Mr. Tweed's experience in legislative matters.



On the 29th, only two days later, the writer received from Bryant a letter of which the following is a copy:

“DEAR MR. TOWNSEND: \* \* \* I have growing assurances that you will not be called upon to make out any schedule of ‘surrender values’ in our case. The precedent in Ingersoll’s and not in Woodward’s enlargement will be the model. Our party has borne its punishment which cannot be repeated. The ‘surrender values’ afford so poor an excuse that the thing will not be exhibited unduly. Yet as something fully commensurate is necessary and that forthwith, *information*, and not *property*, will be taken. Of this, the mine is Golconda indeed, and our *General* has taken great loads with him to Albany of the ore. This is all— ‘we fly by night.’

Yours truly,

C. O’B. B.”

Of course Bryant induced Tweed and his Counsel to feel that he was very friendly to Tweed’s interest, and that he was secretly divulging what was going on in the house of his friends to keep up Tweed’s hopes. There can now be but little doubt, in the face of surrounding facts, that it had been the intention from the first “to save Sweeney and suppress Tweed,” and that Bryant was one of the many means used for such purpose. From the foregoing letter it is also apparent that the “General” (Fairchild) did take to Albany a great load of papers from Tweed, as early as March 27th, after calling on him with Bryant. In an open letter from Mr. Fairchild to Governor Robinson, which was forced from him by a letter to him from the writer in behalf of Tweed, dated June 27th, 1877, and published in all the papers in the city, Mr. Fairchild admitted that he did visit Mr. Tweed in jail, with Bryant, and in the absence of his counsel. In the same letter to the Governor, Mr. Fairchild found it convenient to designate Bryant as the “agent” of Tweed.

To illustrate the position which Bryant occupied with Mr. Fairchild in the movement against Tweed, a few of Bryant’s letters and telegrams are given:



"GRAND UNION HOTEL,  
Cor. Fourth Ave. and Forty-second St.  
February 21st, 1877.

MY DEAR MR. TOWNSEND: I presume you have seen Dewey and heard of his favorable hearing with the Attorney-General. I send the enclosed letters, as I will not be in town to-morrow. Mr. O'C. having read them, desired to have them placed in Mr. Peckham's hands, with the suggestion that the 'iron was now hot and it was time to strike.' I shall see you to-morrow evening and I send you the letters in case you should meet Peckham to-morrow and should have the exact opportunity to use them with him on the Attorney-General.

Yours truly,

10 P.M.

C. O'B. BRYANT."

The written statement of what Mr. Tweed promised to make if discharged, the writer handed to Mr. Fairchild on April 17th, and it would seem that long before, that the Attorney-General and his associates commenced the examination of Tweed. His first examination occurred February 23d, as shown by the following letter of Mr. Peckham:

"73 West Fifty-fifth St.

February 22d, 1877.

DEAR SIR: Your note of yesterday received. I this morning saw Attorney-General Fairchild and have arranged with him to see Tweed with you to-morrow evening, provided you can make the necessary arrangements. I don't want it known. If it were, I would be bothered to death with reporters.

I would also like the hour as late as convenient, up to say 9 P.M.—*i. e.*, if we can arrange from 9 to 9:30 P.M. that hour would suit us better than earlier.

Please let me know to-night if you can arrange it and for about what hour, as I want to let the Attorney-General know to-night. We can then arrange details to-morrow.

Yours truly,

WHEELER H. PECKHAM.

JOHN D. TOWNSEND."

In compliance with the suggestions in the above letter Messrs. Fairchild and Peckham were met by the writer at Ludlow Street Jail, where they then had an interview with Tweed, and made arrangements for future meetings for Mr. Peckham and such other persons as he designated who were in charge of actions in behalf of the City.

The next communication which the writer received from Bryant was the following:

“NEW YORK, Monday, March 15th, 1877.

MY DEAR MR. TOWNSEND: I have just got in on the night train, having left Albany at one o'clock.

A deferred appointment with Fairchild was made for seven o'clock last evening at his office 'with closed doors.' It lasted till half past twelve. I have no hope of presenting the interview in the scope of this epistle, but the result was most satisfactory. He accepted Tilden's invitation for himself and his wife, and will be at Gramercy Park over Sunday next. He expects to go to Fort Washington on Sunday with Tilden and arrange the enlargement of *our* client immediately. The future conduct of the affair will be confined strictly to O'Connor and the Attorney-General.

I saw 'our happy client' this morning, and will see you further after my return from Sleepy Hollow. I entered fully upon an extensive insurance field with Fairchild, and have established in that connection a most important and valuable footing.

Very truly yours,

C. O'B. BRYANT.”

The business interests which Bryant apparently had with Fairchild, as shown in this letter, and the degree of social intimacy which must have existed to enable Bryant to be so fully aware of Fairchild's movements with Tilden, of course strengthened the belief in Tweed's mind and in that of his counsel, that Bryant was speaking by authority. It justified Tweed after Fairchild had called with Bryant at the jail, in allowing Fairchild, when he called alone on the following day, to take away most important

papers regarding the corruption of members of the Legislature. Tweed and his counsel subsequently believed such papers were taken for inspection by the Ring which surrounded Fairchild in Albany.

No effort was ever thereafter made to get back through Tweed any of the ill-gotten money he had paid out, or to indict any of the members of the Legislature who were known to have received money from him. It was very evident that Tweed "muzzled" was considered more valuable, in a political sense, than Tweed would be, if at large.

On the 22d of March, the writer was favored with the following telegram from Bryant:

"ALBANY, N. Y.

To JOHN D. TOWNSEND,  
353 W. Thirty-fourth St., N. Y.

The understanding is absolute, as I said, and all is right for a close next week. Home to-morrow. BRYANT.

Received at 1265 Broadway, March 22d, 1877."

The coming of Bryant and the "General" to Ludlow Street Jail on the 27th of March was preceded by a telegram to Tweed from Bryant dated at the Hotel Buckingham in this city, where the "General" was accustomed to stop when in town. The name "Luke Grant" had been adopted by Tweed, so that letters and telegrams intended for him would not be interfered with.

BUCKINGHAM HOTEL.

March 27th, 1877.

"To LUKE GRANT,  
70 Ludlow St.

Solid, see me at eleven, the General later. G. UNION."

During the month of April, Mr. Fairchild (who at different times was mentioned in the letters and telegrams of Bryant as "Duke" and "Buckingham") spent considerable time at the Buckingham Hotel in this city, where the writer called upon him several times in reference to Mr. Tweed. Mr. Fairchild told the writer during one of

these visits that he was surprised to find how much proof Mr. Tweed could furnish to Mr. Peckham in the action against Sweeney.

At that time the writer urged Mr. Fairchild to allow Mr. Tweed to go home under proper restrictions, as his health was much impaired and it would relieve the anxiety of his family. Mr. Fairchild did not fix any date for his discharge, but he clearly intimated to the writer that he would order his discharge within a few days, and such suggestion was so significant that, at the request of Mr. Tweed the writer went to Mr. Tweed's home at Greenwich and notified his family that he would be restored to liberty in a short time.

Before Fairchild came down to the Buckingham Hotel in April, he sent the following telegram:

"April 2d, 1877.

JOHN D. TOWNSEND,

353 West Thirty-fourth St.

I will be at Buckingham Hotel Wednesday morning.

CHARLES S. FAIRCHILD."

On the 5th, two days later, Mr. Tweed was notified by Bryant in the following telegram that Fairchild was all right:

"April 5th, 1877.

LUKE GRANT,

70 Ludlow St.

*Buckingham* all right. Took my paper down this morning.  
G. UNION."

It was during this visit that Fairchild went alone to see Tweed.

Two days later Bryant again telegraphed to Mr. Tweed as follows:

"April 6th, 1877.

LUKE GRANT,

70 Ludlow St.

Will be on train going up with 'Duke' when you get this."

On April 11th Bryant sent the following telegram:

“April 11th, 1877.

LUKE GRANT,

70 Ludlow Street.

Up to-night and down to-morrow night with something conclusive.”

A few days after the writer presented the statement to Fairchild of what Tweed was willing to do for his freedom, he called at Mr. O'Connor's residence at the request of Mr. Tweed to show him the statement before taking it to Albany. As a matter of courtesy Mr. O'Connor declined to look at it.

The following is a copy of a letter which the present writer on the same day sent to Tweed. The original, marked in Mr. Tweed's handwriting as having received it, is now in the writer's possession.

“353 West Thirty-fourth St.,

April 15th, 1877.

MY DEAR MR. TWEED: I have just returned from Mr. O'Connor's and had a very pleasant call. He says he has no doubt you will be discharged, and that after receiving the statement they could do nothing else. Bryant was there, so before going into the room I told Mr. O'Connor that you had suggested that he should be the first to see your statement. He said that it would be better not to show it to him now, that he would probably see it soon, and he said that he recognized the courtesy. I told Bryant before O'Connor that you had been waiting for him to return the checks he had taken, and that I had incorporated in my 'Statement' to Fairchild that they were in his possession.

He said they were in Tilden's hands yesterday, and that he had kept them so that they would not be traded away under the advice of \* \* \* others who surround you. I told him that you knew too well how much value they were to you to allow that to be done, and that you wanted

them to prevent them from being traded away. I also told him that acting under my advice you had carried out the idea in your letter to Mr. O'Connor, and had been full and truthful in your statement. This is the gist of my interview.

After I have delivered my package to the Attorney-General to-morrow I will of course be surrounded by reporters. I intend to start the ball in your favor by giving them, not as coming from you but from myself, the statement in the 'letter,' of what you propose.

This will compel action upon the part of the Attorney-General.

Very truly yours,

JOHN D. TOWNSEND."

To explain a part of the preceding letter it is necessary to state that Mr. Tweed had heard shortly before this time, that Bryant was "hawking" about the city some of the checks which had been obtained by him under pretence of showing them to Mr. O'Connor. Tweed had written to him to return them at once, but Bryant had paid no attention to the demand.

Some days after this Mr. John Kelly, who was then Comptroller, informed the writer that Bryant had brought a number of papers and checks to him with a request that he should hold them for him.

Mr. Kelly knowing something of the character of Bryant, and being informed by the writer that the papers were the property of Tweed who required their return, sent word to Bryant that he wished to see him, and appointed an hour for him to call, and Mr. Kelly informed the writer that he might be present at the interview.

The writer was present, and when Mr. Kelly placed the package upon the table in front of him, to the astonishment of Bryant the writer seized it as the property of Mr. Tweed.

About May 1st the writer was informed that Mr. Peckham desired to commence his investigation as to the value of Mr. Tweed's testimony to the city, and the following letter was sent to Mr. Tweed by the writer:



“NEW YORK, May 1st, 1877.

I have just seen Mr. Peckham and given him a letter to you. He intends to examine you in detail in regard to your knowledge of the Sweeney case. Be as open to him as possible. He knows nothing of the Attorney-General's assurance to me of your discharge, but comes for the purpose of seeing how important you are to him on the trial of Mr. Sweeney's case. I suppose that the Corporation Counsel will follow him.

I do not feel very well to-night, so shall not call. I will bring whatever other papers I have to-morrow.

Very truly yours,

JOHN D. TOWNSEND.

I think it would be well for you to have your *checks* when Peckham calls. He says he doesn't think he can call in the evening.”

Mr. Tweed responded as follows:

“NEW YORK, May 4th, 1877.

MY DEAR MR. TOWNSEND: I enclose letter to Mr. Peckham, which I think you had better personally deliver if you think well of it, and at the same time discover, if possible, what he thinks about my *release and testimony*. When he was here he spoke about *adjusted claims matters*. I told him I had not thought of them, but would endeavor to recall something about them. *I have done so and find I recollect many details*. My mind is not easy at the long delay of the Attorney-General in deciding, and I fear he will delay and delay until the suspense will be more of a torture than at present. *How would it answer to communicate with him?* If possible, have the Counsel to the Corporation, Mr. Whitney, call to-day. I would much like to see him. My mind and thoughts are now fresh on the matter and I can explain fully all he desires (that I know of), and particularly the ‘O'Brien,’ ‘Navarro,’ and ‘Jones’ matters. If he does not call to-day please drop in, if you can spare the time, and I can advise with you on all these matters. I hope they will not delay the decision



and so frighten, or let float away from our reach, parties on whom much corroboration rests.

WILLIAM M. TWEED.

Yours very truly,

MR. JOHN D. TOWNSEND."

From this time, as the writer was informed by Tweed, he received frequent visits from Mr. Peckham and Mr. Whitney, the Counsel to the Corporation, and sometimes both called at one time.

In May the writer received a letter and certificate from Dr. William Schirmer, a well-known physician of this city who had for a long time been Tweed's family physician. He said that he had felt it to be his duty to ask to have a certificate presented to the Attorney-General as to Mr. Tweed's health. The certificate was debarred. The following are copies of the letter and certificate.

"No. 114 East 58th St.

May 10th, 1877.

MY DEAR SIR: Understanding from Mr. Tweed that you soon would have an interview with the Attorney-General in reference to his release I feel it my duty to state to you that in my opinion Mr. Tweed should be no longer detained in confinement. He is suffering intensely from diabetes, and since he has been under the excitement attending his anticipation of release his troubles have been greatly aggravated. *He absolutely needs rest of mind and opportunity to obtain exercise and sunshine.* I feel that in your application to the Attorney-General his physical condition should now be considered.

I am respectfully yours,

WILLIAM SCHIRMER, M.D.,

No. 114 East 58th St.

JOHN D. TOWNSEND, ESQ."

"May 10th, 1877.

This is to certify that Mr. William M. Tweed, since his return here has been attacked again with symptoms of diabetes, for which disease I treated him two years ago

at Blackwell's Island, when Professors Clark, Flint and Wood were called in by the Commissioners of the Alms House to examine and report. By the advice of those physicians, who agreed entirely with my diagnosis and treatment of the disease, he had the exercise in the fresh air and proper diet, as directed, and recovered from it; but lately, by examination at different times of his urine, besides sugar some albumen was also detected in it, which fact has aggravated the case, and I am therefore of the opinion that he cannot recover again if the constant worryment of mind and confinement are not removed.

WILLIAM SCHIRMER, M.D.,  
114 East Fifty-eighth St."

It was only when Fairchild returned the "Statement" the following June, that the writer knew he had received such certificate.

In his report to the Governor on June 27th, 1877, Fairchild admits that in the final reports made by Messrs. Peckham and Whitney on May 26th, 1877, he was informed that in the Sweeney action, and in one in which the city was defendant, Tweed would be a valuable witness.

Indeed, Mr. Tweed had every reason to believe, up to June 5th, which was the day before Sweeney was permitted to settle without going to trial, that he would be a witness against Sweeney, and as matter of course, be discharged from imprisonment after he had testified.

It is quite evident that Mr. Peckham did not know what Fairchild intended to do with Mr. Tweed's application for discharge up to May 23d, as in response to information asked on that subject by the writer he replied:

"NEW YORK, May 23, 1877.

DEAR SIR: I can only say that a conclusion will be reached before the Sweeney trial.

Yours truly,

WHEELER H. PECKHAM.

JOHN D. TOWNSEND."

Early in June rumor reached Mr. Tweed and his coun-

sel that a settlement without trial was sought for by Sweeney. The rumor bore the semblance of truth, and included information that Sweeney had made a proposition to pay to the city for his discharge from indebtedness the sum of \$250,000.

It proved to be true with the exception that the amount offered by him was \$400,000. The writer thereupon wrote as follows to Mr. Wheeler H. Peckham, who was then in full charge of the action against Sweeney.

“NEW YORK, June 5th, 1877.

WHEELER H. PECKHAM, Esq.,

DEAR SIR: A rumor, which I can trace to a reliable source, has reached me this morning that you are considering the propriety of accepting from Mr. Sweeney the sum of \$250,000, and for that amount releasing him from further proceedings against him.

Except so far as the matter affects the release of my client, Mr. Tweed, or conflicts with the aim I had in view when I accepted my retainer from him, I have nothing to say, and fully recognize that you only are responsible for your action to the Attorney-General and to the public.

But permit me to recall to your remembrance the fact that in December last Mr. Tweed made a proposition in a letter to Mr. O’Conor in which he offered to surrender all the property remaining in his possession, to make a full confession of his misdeeds, and to make public, if necessary the names of his associates.

In fact, he offered to aid the public in every way in his power to remedy the great wrong he had done. He asked in consideration, his release from imprisonment. Mr. O’Conor shortly thereafter retired from all connection with the Ring suits, and a copy of that letter was furnished to Attorney-General Fairchild. That gentleman thought well enough of the proposition to visit Mr. Tweed in jail on more than one occasion, without my knowledge, and to question him and examine his papers. A brief statement in letter form was prepared by me and sent to Mr. Fairchild through you, which contained the main points upon which Mr. Tweed could testify, and I was informed by Mr.

Fairchild that the statement must be more complete; in fact, he must tell everything he could remember of his connection with Ring matters, and exhibit all the evidence he had to corroborate his assertions. This was done and I placed it myself in Mr. Fairchild's hands and received from him a positive assurance that if he made use of it in any way, Mr. Tweed should be released; and he further assured me that he would show it to no one but Mr. Tilden and his father, whom he designated his advisers."

Two months have elapsed since then and while intimations have been made to me and others by Mr. Fairchild which could bear no other construction than that Mr. Tweed's proposition would be accepted, yet that gentleman has maintained the silence of death as to when, or as to the means by which Mr. Tweed is to be released. Now comes this rumor which I believe to be true, and the reason for this deathlike silence is apparent. Mr. Tweed's statement is to be used as a threat instead of a scourge. I *know* what Woodward could testify to, should Mr. Sweeney's trial be proceeded with, and I have a knowledge also to what extent Ingersoll can testify, and from Mr. Sweeney's letter, published some time since, prior to the publication that Mr. Tweed had made a statement, as well as from other sources, I am satisfied that Mr. Sweeney labored under no apprehensions until it was rumored that Mr. Tweed might be a witness against him. But can it be possible, with the knowledge you *must* have, that this statement of Mr. Tweed has been used in this way—that you will assent to this settlement without also taking Mr. Tweed's release into consideration? Will you permit yourself to be made a party to a proceeding which, if carried out, I believe all honest people will designate as *infamous*? Will you hesitate to demand of the Attorney-General that he should do justice to Mr. Tweed?

But a word further upon this point. Before I accepted the position of counsel to Mr. Tweed, I conversed with other gentlemen, and all agreed if Mr. Tweed could be induced to make a full confession of his connection with his associates in crime, it would be of the greatest possible benefit to the community in a moral view, and would do

much to restrain in future the venality existing in political life. That class of the community, I think, has hoped for some such advantage. By the acceptance of \$250,000 from Mr. Sweeney you virtually close the avenue to any such benefit. Mr. Fairchild has informed me that he will not give the 'Statement' of Mr. Tweed to the public, and it would be too much to ask of Mr. Tweed unless he is to be released. On a trial of Mr. Sweeney, unless he permitted it to go by default against him, which is unlikely, you would be enabled to show the whole combination of the Ring with its manner of working. You certainly would not be willing to sacrifice all this for a sum which is less than the value to-day of the property of Mr. Sweeney which is now attached. A few days ago only, you stated to me that you would advise a settlement if Mr. Sweeney would pay the amount which you could actually trace to his brother James and which you stated to be \$580,000. Why now, only \$250,000? But I cannot believe, after your statements to me and to others, as well as the statements of the Corporation Counsel that Mr. Tweed was important to you both on the trials for and against the city, that you would assent to such a settlement as suggested, without even taking Mr. Tweed's release into consideration.

I, of course, feel interested in this matter, and hence you will excuse the plainness of my speech.

Respectfully yours,

JOHN D. TOWNSEND."

The writer of that letter realized that this city had been robbed as estimated, of nearly \$30,000,000, and that no advantage of any importance had been gained by the city since the time in 1872 when the public had been awakened to its danger by the *New York Times*, and the respectable portion of the community had been shamed out of the miserable lethargy into which it had sunk, and had become anxious to punish the criminals.

He realized also that these prosecutions had at one time been in the hands of one of the greatest of our lawyers, who had been vested with extraordinary power to punish the guilty and to recover the lost millions, but he was



aware that they were then in the hands of practical politicians.

The writer felt that while Mr. O'Connor's aim had been to punish the leaders so severely that no person in the future would care to follow in their footsteps, the party now in control wanted to build up political strength by compelling obedience to their wishes through *fear of exposure*. In Mr. O'Connor's view, the State Prison, under the circumstances, was the only proper place for the miscreants who had so systematically robbed the community. In the minds of the men who were then controlling, the State Prison would be a proper place for Tweed, if his conviction for crime did not involve an exposure of politicians.

When Sweeney came back to this city under the written promise of perfect security to himself personally, which, by the way, was a paper that ought to have blistered the hands of the men who signed it, there was not an important person left in this country, who had been connected with the Ring. The prominent members of it had all gotten away with the property they had stolen. Not an effort had been made, except in the case of Tweed, to bring them back, nor was any effort made to commence proceedings abroad to recover the money they took with them. Every movement that had been made, looked at from the results obtained, seemed to have been instituted to shield the criminals.

On an average of about nine out of ten men who were confessedly guilty of stealing were accepted as witnesses against the other one man, until a time arrived when there was but one man against whom any testimony could be used, and it was not considered wise to try him.

It was a shameful condition of affairs.

By that contemptible agreement of Fairchild's the "brains" of the Ring, as Sweeney was called, came over to have the action against him tried, and made pretence through the daily newspapers that he had a defence worthy of consideration. If the Attorney-General ever supposed he had a case against Sweeney, Taintor, Garvey, Ingersoll and Woodward must have been the witnesses relied upon to sustain his action.

Unexpectedly, Tweed, the man who had been associated with all the others in the frauds, returned to the country and offered himself as a witness against Sweeney, and Fairchild was informed by Peckham and Whitney that he would be a most important witness against Sweeney.

There was now no honest excuse for not bringing the action against Sweeney to trial, but as it must have been determined that Mr. Tweed should under no circumstances be permitted to expose Sweeney and the other corruptionists it was found necessary at last to brave public opinion and settle with Sweeney without trial. So manifest was the intention to shield Sweeney and rehabilitate him in the garb of injured innocence, that without serious protest he was permitted to defame his dead brother James, whom everybody at the time knew had been a man of no consequences except as his (Sweeney's) agent in Ring matters, and to settle the claim against him, on the theory that James M. Sweeney alone had committed the frauds. Had the trial of Sweeney been allowed to proceed, very clearly would such suggestion have been disposed of by Tweed. Tweed would have opened the door to an exhibition of many men and their doings which neither Tilden nor Fairchild would have had the power to close.

The writer does not desire that there should be any doubt that the action against Sweeney could have been won, and therefore a few of the affidavits made and the testimony given by different persons who could have been called as witnesses for the State, are referred to here.

JAMES H. INGERSOLL, who was a prominent go-between of the Ring, made an affidavit which was published in the evening *Express* of June 7th, 1877, on the subject of the division of the percentages. The part which affects the subject of Sweeney's complicity is as follows: "Sometimes Watson retained all these parcels, and sometimes he sent me to the Chamberlain's office with the share for Peter B. Sweeney. On these occasions I went directly to the Chamberlain's office and then left the money accordingly; in the said Chamberlain's office there was an inside or private office; sometimes the share of Peter B. Sweeney was carried into the inner office of the Chamberlain and there



delivered by Watson himself, I going with him and seeing it done. When I handed in this money, I commonly said, 'Jim Watson sent this,' or uttered some brief words to that effect. The answer was 'Very well,' or something like that; when Watson handed in the money nothing particular was said that I can remember. It seemed to be well understood. This ten per cent. was thus always handed to James M. Sweeney or to Peter B. Sweeney. On at least two of these occasions I handed the parcel containing the ten per cent. to Peter B. Sweeney himself."

On October 24th, 1877, MR. HENRY F. TAINTOR, the expert who had been employed by the city to work up the evidence in the different cases against the speculators, testified as follows, when questioned in regard to Peter B. Sweeney:

Q. Could you say that the evidence you had worked up in that case (*The People against Peter B. Sweeney*) pointed to Peter B. Sweeney as the man who received the money or a portion of it? A. Yes, sir, the evidence showed that Peter B. Sweeney was the man.

MR. TWEED was examined before the same Committee on September 15th, 1877, and in reply to questions as to the manner in which the percentages were to be divided, said:

Q. Did you ever have any conversation with any other member of the Ring with regard to payments? A. About the time the tax levy was put in the Charter—the tax levy was to bring in money—Mr. Sweeney, Hall, Connolly and myself met in a room of Mr. Sweeney's in the Delevan House and decided to divide the money as we first suggested—ten per cent. to each.

Q. What Mr. Sweeney are you speaking of? A. Peter B. Sweeney.

Q. Woodward represented you? A. Yes, sir.

Q. Watson represented Connolly? A. Yes, sir, financially.

Q. Who represented Sweeney? A. James N. Sweeney, or Hugh Smith, as the case might be.

Tweed also testified that he frequently had conversations with Sweeney on the subject of his percentage and also that of Mr. Hall.

All that need be said further concerning the settlement of Sweeney is, that what had been intended to be done for Sweeney, was effected.

On the day that the Sweeney action was settled the writer addressed a letter to Mr. Fairchild, of which the following is a copy:

“NEW YORK, June 6th, 1877.

HON. CHARLES S. FAIRCHILD,  
*Attorney-General.*

SIR: I am just informed that you have effected a settlement in the case against Peter B. Sweeney, and there is every reason to believe that the amount of money obtained was secured in a great degree by the use you have made of the Statement I furnished to you about two months since, by direction of my client, Mr. Tweed, under your promise that he should be discharged if *any use* was made of that ‘Statement.’ I now request the fulfillment of your agreement.

Your obedient servant,  
JOHN D. TOWNSEND.”

On June 12th, 1877, the “Statement” of what Tweed would do for his release from imprisonment, which the writer handed to Fairchild on April 17th, together with Dr. Schirmer’s certificate as to Mr. Tweed’s physical condition, was returned to the writer by a clerk in Mr. Peckham’s employ, with a letter, of which the following is a copy:

“NEW YORK, June 12th, 1877.

JOHN D. TOWNSEND, ESQ.

SIR: Herewith I return to you the statement of testimony which you assert that William M. Tweed could give

if he were released from imprisonment. After careful consideration I have come to the conclusion that the testimony which said Tweed could give, as shown by said statement, would not justify his release.

You will also find the letter of Dr. Schirmer.

Your obedient servant,

CHARLES S. FAIRCHILD,  
*Attorney-General.*"

Mr. Fairchild had allowed the time to go by when new actions could be commenced against the corrupt Senators and others, and much of Mr. Tweed's corroborative proof was lost. Mr. Tweed might now be likened to an abandoned hulk, of no use to any one. He was simply an imprisoned debtor who could not secure bail. No effort was made to punish him under the many indictments which were found against him, and the city in addition to other expenses had to pay for his board. About this time Mr. Connolly, who had not been invited over with Sweeney to settle, gave notice to Fairchild that he was willing to confess judgment to the extent of \$8,000,000.

Before such confession was filed Judge Noah Davis, who was then holding court, took occasion to say:

" \* \* \* Indeed, the history of these trials develops, what I think the history of no civilized nation and probably of no barbarous people has so clearly developed, the organization of a body of public officers for the sole purpose of robbing and plundering those who had put them in power. The worst feature of it all to those who rightly think upon the subject is, that notwithstanding that all these crimes have been so clearly proven and that no man can doubt their existence, nevertheless the whole body of these conspirators against the city and its treasury go substantially unwhipped of justice."

What a fearful exhibiton all this is of negligence, incompetence, or dishonesty. Which?

A few of the newspaper comments following the settlement of the Sweeney case will show the sentiment of the people on the subject at the time.

*Evening Post*, June 7th, 1877:

“Of course, nobody will be deceived by this disgraceful and offensive sham. The suit of the people was not against James M. Sweeney. He is dead. The proceeding was not against the estate. It is not believed he had any estate. It is known that he lived by the breath of his brother, that he was a mere miserable tool and that nobody would have been more astonished than himself if it had been suggested that he should pay the people of New York, or to anybody else, several hundred thousand dollars, or any other sum. James M. Sweeney is simply a lay figure upon which are to be hung the garments that are to rehabilitate with respectability the living person of Peter B. Sweeney. The revelation of this newest sham brings with it the revelation of other shams. For what was Ingersoll set at large if this is the conclusion of the affair? For what were negotiations had with Woodward? For what were overtures made to Tweed himself?” \* \* \*

*World* editorial, June 8th, 1877:

“We were not mistaken yesterday morning, in anticipating that the respectable opinion of New York would distinctly disapprove of settlement in the Sweeney case. That opinion had been expressed in a very emphatic way. Either he owes the city money or he does not. If he does, he owes it money because he has converted public money to his own use; and if he does, he owes it a very much larger sum than \$300,000, \$400,000, or any sum which has been named by anybody as the sum restored ‘out of the estate of James M. Sweeney.’ If he owes more money and can be made to pay more money, the counsel for the plaintiffs have betrayed the interests of their client the people, in letting him off for the sum named.” \* \* \*

Evening *Express*, June 8th, 1877:

### SQUARE HANDED JUSTICE

“The release of Sweeney on the payment of \$400,000 is an insult to the taxpayers of the city and an outrage on justice. Only \$150,000 of this petty sum was actually paid and the rest was promised, but no security was given or required. It is nominally paid out of his dead brother's estate, but even Lawyer Peckham admits that this pretence is too thin to be believed; and it is justified on the scoundrel's ground that compounding with felony pays better than to exact square-handed justice of the felon. And then to give Sweeney a certificate of character on top of this transaction shows that somebody's ideas of decency are strangely demoralized, and that the ‘Brains’ of the old Ring still has his pals where they can do the most good. Nobody doubts that Sweeney was the biggest rascal of the Ring. He told his accomplices what to do and how to do it, and when the crash came he was cunning enough to sneak away out of the wreck with an untold amount of plunder. He spent six years abroad, living like a nabob on his ill-gotten gains, comes back like a prince, snubs all his old associates, kicks the men who burned their fingers in pulling his chestnuts out of the fire, compounds with the authorities by paying what he pleases out of a dead man's estate, is released from all further responsibility, and a judge gives him a clean bill of health. Such a result may be very lucky for Sweeney, but it slams the door of justice in the people's faces. The less of such mockery of justice the better.”

Evening *Mail*, June 8th, 1877:

### THE SWEENEY SCANDAL.

“That Peter B. Sweeney business becomes a more unfragrant scandal the more it is reflected upon. The Hunter's Point stench is a nosegay in comparison. It would seem as if law and justice had literally ‘Petered out’ when one thinks of the monstrous outrage that has just been

perpetrated under the sanction of respectable names and the solemnity of the so-called courts of justice. What was Ingersoll pardoned out of prison for, the people ask, and why were Woodward's felonies and forgeries compounded, if Sweeney, whom these two witnesses were to convict by their testimony, is to walk out of court and strut around town clothed about with purity and innocence?" \* \* \*

The *World*, June 10th, 1877:

TWEED'S EVIDENCE USED TO FORCE THE SWEENEY SETTLEMENT, THOUGH REFUSED IN COURT.

"There is the best authority for saying that the compromise of the \$7,000,000 suit was forced on Peter B. Sweeney by confronting him with portions of Tweed's confessions wherein names, dates and circumstances about his share of the Ring plunder were given. Sweeney was loath to pay more than \$250,000 and would not have given more had the probability of Tweed's evidence being used against him, not been presented most forcibly to him. The deciding interview between him and the representative of the people was held at the office of one of his counsel the day before the sudden termination of the action before Judge Westbrook, and the delay in the court room was owing simply to arranging some of the details of the settlement and to getting Judge Westbrook to make the announcement from the bench about its 'not reflecting in any way upon Mr. Sweeney.'"

So manifest was the unfairness of Fairchild toward Tweed, that even John Kelly, who was Comptroller of New York in 1876, and who was one of the earliest in the Reform movement against the Ring, refused to permit him to be renominated as Attorney-General in 1877. He lost his renomination, as the writer knows, solely because of his treatment of Tweed. Afterward, in a letter to Mr. Schoonmaker, who was nominated as Attorney-General in Fairchild's place, Mr. Kelly wrote that in his opinion the



State had been "dishonored by Fairchild's breach of faith."

Before showing by the correspondence which is now in the writer's possession, how clear is the proof that Sweeney was protected at Mr. Tweed's expense, and that the public was cut off entirely from the moral effects which would have followed a prosecution of public men with Tweed's assistance, the full letter of Mr. Kelly to Attorney-General Schoonmaker is given:

"CITY OF NEW YORK, FINANCE DEPARTMENT,  
COMPTROLLER'S OFFICE, March 21st, 1878.

TO THE HON. AUGUSTUS SCHOONMAKER, JR.,  
*Attorney-General of New York.*

SIR: I feel it to be my duty both as an individual and as a public officer, to urge upon you the discharge of William M. Tweed, who is now confined in the debtor's prison in this city. My protest, as an individual, against the further detention, arises from the fact that my assurance to Mr. Tweed's counsel (Mr. J. D. Townsend) that the late Attorney-General would fulfil his promise to discharge his client should he make a full confession of his misdeeds and surrender his property, more than anything else induced the confession thereafter made by Tweed and his proffer of surrender of property. Mr. Fairchild did state to me that he would discharge Mr. Tweed if he made a full confession and surrendered his property, and I did say to Mr. Townsend that he might rely upon Mr. Fairchild's statement, which he (Mr. Townsend), then said had been made to him. As a citizen I feel that the State is being dishonored by this breach of faith. As a public officer I urge his discharge, because I believe his further detention in a debtor's prison is neither beneficial to the State as an example to evil doers nor in any sense serviceable to the city.

There are several actions now pending against this city in which millions of dollars are involved, and it is conceded that in some of these, if not all, Tweed's testimony will be very important. I am informed by Mr. Townsend that Tweed will decline to testify as a witness



unless the promise of his discharge, heretofore made him, be carried out, and no one can fairly blame him if he adheres to that determination. Had Mr. Tweed and his associates been convicted and sent to State Prison, as I believe should have been the course pursued at first against them, I would be among the last to advocate the discharge of any of them, but I conceive that neither justice nor good policy, now that such opposite course has been adopted toward the others, dictates the present treatment of Tweed. I am, respectfully, your obedient servant,

JOHN KELLY."

In money the city had lost about \$30,000,000. When the loss was discovered the city had within its grasp the four principal thieves and any number of their confederates. What resulted?

FIRST: The city became possessed of a number of affidavits made by men who were willing to turn State's evidence if allowed to retain their plunder.

SECOND: Judgments of no value, to the amount of over \$15,000,000, \$8,000,000 of which was obtained by confession.

THIRD: Payments of \$1,353,411.19, of which \$1,103,219.18 was surrendered through settlements without trial.

What did it cost in money to secure this?

A synopsis of the receipts and disbursements furnished by the Comptroller will show:

DATE.	RECEIVED FROM.	FROM WHOM PAID TO CITY TREASURY.	AMOUNT.	TOTAL.
1876.				
Jan. 24.	Watson Estate.	C. S. Fairchild, Att'y-Gen.	\$555,435.94	
1877.				
Jan. 16.	" "	" " " "	2,801.06	\$558,237.00
Dec. 22.	Peter B. Sweeney.	" " " "		394,594.28
Jan. 16.	E. A. Woodward.	" " " "	100,000.00	
Dec. 22.	E. A. Woodward.	" " " "	50,387.90	150,387.90
1878.				
Feb. 14.	E. Starkweather.	Corporation Counsel.		22,866.78
1891.				
Jan. 11.	Broadway Nat. Bank.	" "		227,325.00
				\$1,353,410.96

Counsel fees in collecting, with expenses, as furnished by Comptroller's office.....

\$231,690.21

This statement was furnished by the Comptroller to the writer, in July, 1895.

With the foregoing statement closes the Ring epoch. It need only to be added that late in the same year, 1877, the Board of Aldermen of this city urged upon Mr. Tweed to make public the statement he had offered to Mr. Fairchild. Tweed had been informed that officials in high position, whose names had been mentioned in his statement as having taken bribes from him, were being annoyed by persons who had had access to the statement, and to destroy such schemes he concluded to accept the suggestion made by the Board. A committee was appointed by the Board of Aldermen to take Tweed's testimony and they sat from August 13th to December 14th, 1877, holding open sessions.

After their report had been made, a resolution was offered in the Board, and passed by a vote of 13 to 6 requesting Attorney-General Schoonmaker to discharge Mr. Tweed from further imprisonment. That gentleman gave assurance to Mr. John Kelly, to the writer and others that he would discharge him after the Legislature adjourned. This assurance was made in the latter part of March, 1878.

Mr. Tweed did not live to enjoy his freedom.

He died in Ludlow Street Jail, April 12th, 1878.

## CHAPTER XXIII.

JOHN KELLY.

LARGELY through the popularity of John Kelly, the political power of the Ring was destroyed. It was, of course, due mainly to the great exposure made by the *New York Times* in 1871 that popular sentiment was first aroused against the Ring, and it was to the honest zeal thereafter manifested by the press of New York, and very particularly by *Harper's Weekly*, aided by that inimitable cartoonist, Thomas Nast, which made it apparent to the peculators that the contest had resolved itself into a trial of strength between a gang of freebooters and respectable citizens.

But even after their rascalities had been fully exposed, two enormous public meetings were held in this city, one in favor of Connolly, the other to sustain Tweed, and in 1872 Tweed was for the second time elected Senator by a handsome majority, and in the same year the representatives of the Tammany Ring were received in the Democratic State Convention as the regular delegates from this city. If the civil and criminal proceedings taken against members of the Ring and their confederates came to naught and no moral effect had been gained by their punishment or by the sequestration of their property, their political strength was for the time absolutely destroyed.

The man of all others to whom such Democratic leaders as Augustus Schell, Horace F. Clark, Charles O'Connor and men of their stamp looked to for the kind of assistance then needed, was John Kelly. He was a very popular man with the better class of the Democratic Party in this city.

Mr. Kelly had twice been elected to Congress, the first time as early as 1854, and he had also been elected an Alderman at an early period. He was elected Sheriff in 1858, and was re-elected in 1864. In 1868, he was urged by Charles O'Connor, Augustus Schell and those Democrats who were enlisted in the Reform movement of that year to allow his name to be used as candidate for Mayor on the Reform ticket, against Oakey Hall. He accepted the nomination, but was compelled to withdraw in consequence of great family affliction and from his own ill-health. He was then obliged to go abroad.

When Mr. Kelly returned in 1871, he was urged again by Abram S. Hewitt and the gentlemen who had placed his name in nomination in 1868, to enter the field again against the Ring. His health was still poor but he finally consented to take the lead. He made his fight *in* Tammany Hall. It was a desperate contest. The Ring held the offices, had all the money it needed, controlled the election officers and was sustained by the Legislature. In spite of all that before the close of 1872 Kelly and his friends were firmly in control of Tammany Hall. Mr. Tilden, in speaking of Kelly's fight, said:

"The fight made in 1872 by Kelly was the most memorable one ever made in the city. He had to fight an employment of 12,000 men and the disbursement of \$30,000,000 a year—a power which had possession of all the local government, dominated the judiciary and police, and swayed the officers of election."

On the combination ticket of that year General Dix was elected Governor, Havemeyer Mayor, and Benjamin K. Phelps (Republican) was elected District Attorney.

For the purpose of this book little more need be added on the subject of Mr. Kelly's political power and usefulness to his party, than to say that by his power chiefly Tammany Hall was restored to the fold as the leading representative of Democracy in the State and nation from which it had been so long estranged. During his lifetime Kelly was stigmatized by opposition papers as "Boss" and

“Dictator.” But in reply to such denunciations, Mr. Hewitt, in a speech made October 30th, 1875, said:

“The assertion that John Kelly is a ‘Dictator’ is an insult to Tammany and its members. \* \* \* The City of New York owes to that calumniated man honors that statues could not adequately pay.”

The *Commercial Advertiser*, November 20th, 1878, said of him in an editorial:

“On the ruins of Tammany Hall rose Kelly, and Tilden, Hewitt and Cooper joined his court and were numbered among his legions. Under Kelly the condition of society in the city, and we might add, the municipal government, has changed, for Kelly has ruled the fierce Democracy in such a manner that life and property are comparatively safe. \* \* \* It requires a great man to stand between the city treasury and this most dangerous mass. It demands courage, activity, energy, wisdom, or vices so splendid and alluring that they resemble virtues. Again, we say, dethrone Kelly and where is the man to succeed him?”

During Mr. Tilden’s administration as Governor, Mr. Kelly became involved in difficulties with him and his political followers; but he was true to him in the Presidential contest, as was shown by the majority of 54,000 which New York City gave to Tilden at that time.

If there was one thing more than another that troubled Mr. Kelly, it was the difficulty he found in meeting and overcoming the machinations of the men of low social and political tastes, which from force of circumstances the party was compelled to retain in its association—men who really represented all the worst elements of the Tweed régime. He succeeded however, in doing that until he was treacherously defeated by a man in whom he most trusted.

Nothing better could be added as a testimonial to the merit of Mr. Kelly at this time than an article that appeared in the *New York Times*, December 12th, 1884. It was as follows;

“The substantial shoes of Mr. Kelly stand unoccupied in Mr. Kelly’s Sixty-ninth Street mansion, and their owner is taking all the ease which ill-health and restlessness admit of. These shoes are the objects of a great deal of attention. In all the 50,000 votes in Tammany Hall organization there is not one fit to succeed him as the head of the party.”

That was true. There was no man at the time who could fill his place acceptably to honest Democrats, and the man who succeeded him was as unlike him as could be imagined. John Kelly was generous and honest; he made no pretense of being a friend if the sentiment of friendship were not within him. There could be no better illustration of this than his treatment of Richard Croker when he was charged with murder. No brother could evince more sympathy for another than he exhibited for that man when thus accused.

The writer has often heard Mr. Kelly speak on the subject. He said he believed Croker to be innocent, but he realized he was in great danger. James O’Brien, who at one time had been the patron of Croker, was then his enemy. He was a powerful man in the community and Croker’s reputation as a man of peace was not of the best. Mr. Kelly secured for Croker the services, among others, of Mr. Henry L. Clinton, a lawyer with a great practice and very eminent at the time. Mr. Kelly visited Croker in prison, encouraged him, and was with him at his trial. It is hardly conceivable that Croker could ever cease to be thankful for the interest which Kelly manifested in him at that time.

Brutus killed Cæsar with a dagger, but Croker broke the heart of John Kelly by the ingratitude he manifested. While Kelly trusted him, Croker was undermining him in Tammany Hall, and Kelly never realized it until it was too late and his power was gone. The act was dastardly, coming as it did from a man who owed so much to his kindness.



## CHAPTER XXIV.

## RICHARD CROKER.

THE class which is always dangerous to society and has the effect of bringing into disrepute any political organization to which it attaches itself, is well represented in Richard Croker. Intellectually he has not the capacity to control Tammany Hall, and it is absurd to look upon him as a great leader of men. He has always been a tool, but has had sense enough to realize that in these days money brings power. He has latterly been the tool of corporations. Men who have risen to wealth and prominence by their capacity to control legislation, were glad to find a place in Fourteenth Street through which the business could be conducted and where they personally could be relieved. It is mainly through dealings with this kind of business men that Croker has accumulated so much money.

If it were not for the fact that Croker's will in Tammany Hall is as strong to-day as when he defied the people of this city in 1894, that he again threatens us with his presence and that his representatives always await his orders before they can complete their designs upon the public, it would hardly be necessary to refer to him personally.

It is the purpose of the writer to speak only of individuals who serve to illustrate that the politics of Tammany Hall to-day are still what might be expected of men educated in the Tweed school.

Croker was born in Ireland and it is said he was about twelve years of age when he came to this city. A history of his early days was published in the *Evening Post*,



September 28th, 1894, together with the biographies of many of the men who have been raised to prominence by him. These histories were also circulated in pamphlet form about the same time, and all persons having a desire to study Croker Democracy in detail are referred by the writer to the *Post* for information. Briefly stated, nearly all these men are of Irish or of mixed Irish and American birth, and their lives as shown are such as might be expected from a rough class of beings born at a time when the control of the city was in the hands of speculators, and when everything was evil in their social surroundings.

Croker's early life was a stormy one, in which political controversies were determined by him with physical force, and elections were controlled by astute management. In early life his tastes were somewhat similar to those of Tweed. Tweed was the foreman of "Big Six" Engine, and Croker was stoker of Engine 28.

It is said that Mr. Richard Lynch, a famous pugilist of those times, never ceased to remember a meeting he had with Mr. Croker in Jones' Woods, one Sunday morning in 1866, and that after that exhibition of prowess, even Owney Geoghegan, of prize-fighting fame, never cared to meet him. Such capacity for ward leadership as this deserved recognition. Mr. James O'Brien, a great power at that time, was probably the first person to recognize such merit in Croker, and as early as 1867 the name of Richard Croker is found on the books of the Comptroller as drawing pay from the city.

For the years 1867, 1868 and 1869 Croker was supposed to be a regular attendant officer, at a salary of \$1,200 per annum, in the Supreme Court, where Justices Barnard and Cardozo were the controlling powers. The manuals of the Corporation of the City of New York, which were issued yearly at the expense of the city, and which were supposed to furnish a truthful statement of the city's condition each year, do not mention the name of Richard Croker in the list of actual attendants, but the Comptroller's annual reports for such years show that he received payment regularly for such service during that time. So much other service, however, at such time was re-

quired from men who were successful in getting their names on the pay-roll, that non-fulfilment of their official duties was not to be considered as derogatory to their standing.

In 1868 Richard Croker seemed also to have secured public attention for his skill in connection with election frauds.

A New York newspaper of October 13th, 1868, in speaking of the fact that Philadelphia in that year drew heavily upon New York for its votes, said:

“A large number of Mackerelvillites, Hoskiits, Fungtown and Bungtown rangers, and a number of other organized bands of roughs left this classic locality, and last, but not least, were a hundred and fifty Metropolitan bandits under the notorious Dick Croker, all well armed and spoiling for a fight. They hailed from the Twenty-first Ward. Fully five thousand of the most hardened desperadoes of this city are now in Philadelphia.”

When Croker was an attendant on the Supreme Court, Mr. Thomas F. Gilroy (our former Mayor) in 1880 became a clerk there. Mr. Laurence Delmour, who was the recognized representative of Mr. Croker for some time, held the position under Sheriff James O'Brien of Deputy Sheriff during the years 1868, 1869, and 1870. The names of these men are given for the purpose of showing that three leaders started political life in office under the Tweed *régime* and all in the same humble line of life, and that neither their social surroundings nor individual characters were ever such as to justify them in the demands they make for political or other control of this city.

James O'Brien was elected Sheriff in 1868. At the time of his election he represented the Fifteenth District in the Board of Aldermen. That district was not represented thereafter until Croker was selected to fill the unexpired term in 1870. He occupied the position for a few months only. His salary was at the rate of \$4,000 per annum.

In 1870 Croker was drawing pay as Superintendent of Market Rents and Fees, in the Bureau of City Revenue,

over which the late Thomas Dunlap presided, at a salary of \$3,000 per annum. He was also at one time, as has been published, a marshal for the collection of personal taxes, and Laurence Delmour was then his clerk. He was elected Coroner and held that office for two terms, from 1874 to 1879, and it was while holding that office he was arrested and subsequently tried on the charge of murder.

The actual facts presented in regard to the killing of John McKenna on the corner of Thirty-fourth Street and Second Avenue on November 3rd, 1874, were as follows: The killing occurred upon election morning. Croker and James O'Brien were enemies. They met, each having friends with them, had words, came to blows, several pistol shots were fired and McKenna received a death wound.

Croker was arrested upon a charge made that he fired the shot that killed McKenna. On November 16th, 1874, the Grand Jury, of which John H. Hall was foreman, found an indictment against him for murder in the first degree, and on December 7th he was placed on trial before Justice George C. Barrett and a jury. For the prosecution appeared Benjamin K. Phelps, District Attorney, and Assistant District Attorney Daniel G. Rollins; for the defence appeared Henry L. Clinton, John R. Fellows and George W. Wingate. On the trial Mr. Phelps was very earnest in his efforts to convict. For the prosecution James O'Brien testified that McKenna was close to Croker, that he saw a pistol in Croker's hand, that he saw the smoke and saw McKenna fall. He testified that when McKenna fell, he said to Croker, "You murdered that man," and he said that he made the charge against Croker that caused his arrest.

MICHAEL J. COSTELLO, for the prosecution, testified that he saw a pistol in Croker's hand and that he held it slightly elevated.

EUGENE HALEY, for the prosecution, testified that he did not see the shot fired, but saw a pistol in Croker's hand after he heard the shot.

EDWARD DOWNING, for the prosecution, could not recognize a pistol but saw something in Croker's hand.

STEPHEN O'BRIEN, for the prosecution, testified that

Croker was the first person in whose hand he saw a pistol.

The defence introduced a dozen or more persons who swore that there was no pistol in Croker's hand. Mr. Phelps asked the jury to find a verdict for murder in the second degree or for manslaughter in the second degree.

The trial lasted three days and resulted in a disagreement, six for conviction and six for acquittal, the jury being out seventeen hours.

The indictment was not re-tried.

On December 14th, 1874, Croker was admitted to bail in the sum of \$15,000, Mr. Edward Kearney having been accepted as his bondsman.

On May 15th, 1876, Mr. Phelps, District Attorney, applied to Judge Sutherland for an order to *nolle prosequi* the indictment against Croker, and it was granted. The grounds for such application as stated upon a paper attached to the indictment was, "that the City ought not to be put to the expense of another trial, as it would be more difficult then to convict than it was at first."

After the disagreement of the jury in the case just mentioned, considerable sympathy was aroused for Croker, and Mayor Edson was petitioned to give him a position as Police Justice, but he refused to do so. Croker then ran for Alderman and was elected, and he again applied to Edson for a judicial position which was vacant. Mr. Edson again declined, but appointed him a Fire Commissioner. When Grant was elected Mayor he appointed Croker City Chamberlain. When Croker resigned that position he took a chair in the Tammany Hall building in Fourteenth Street and from that time on he became very prosperous. Mr. Croker has held other offices under the city government than those mentioned here, but it is unnecessary to give further data respecting them. It was his admiration, it is said, for Hugh Grant, that induced Croker's treachery to John Kelly.

Mr. Kelly believed Grant altogether too weak as a candidate for the Mayoralty, and he was in hopes that Mr. Joseph J. O'Donohue would be nominated for the office.

Grant and Croker are much of the same type of men, and Croker saw advantages in Grant's nomination which were not apparent should Mr. O'Donohue be elected.

Croker did not let Mr. Kelly know that he was working in opposition to his wishes, and when one of Mr. Kelly's friends, Thomas Dunlap, discovered Croker's designs and told Mr. Kelly of them, it was too late, as Croker had already obtained a majority of votes in the convention, in his favor. Grant was nominated but was beaten. From that time on Tammany Hall has been under the control of a class of men about whom nothing good can be said. The character of Croker's nearest associates was summed up by the *World*, in its edition of April 29th, 1894. It devoted a whole page of the paper to showing the bad character of Barney Martin, who was this year elected to the State Senate.

It is admitted generally among the friends of Croker that Hugh Grant is about his best representative in political integrity, and the most popular man among his associates. Extracts from the newspapers of the city will best show the light in which Grant has been held by the general public.

The *World*, October 20th, 1894:

"The substitution of Grant for Straus is the substitution of a man who is popular with the Tammany masses for a man who is not. It does not change the situation in the least. The regular Tammany voter is not much affected by the character of the candidate, though there may be somewhat of a revolt this year on account of the police exposures. As far as the outside world was concerned, Straus was a better candidate than Grant, as he had no record except as a Park Commissioner, whereas people have had four years' experience of Grant in the Mayoralty. It was he who began the process of handing the city offices over to the thugs and thieves who now hold them; and he carried it on steadily through his two terms. As fast as the offices fell vacant he filled them with criminals and semi-criminals, in the usual Tammany style. Gilroy has only carried Grant's processes a step further. It has been reported that Grant refused to appoint Scannell, the murderer, to the Fire Department, which may be true,



but if so, this was the only Tammany atrocity from which he recoiled. In fact, it may be said that Grant was the first to display that open contempt for the opinion of the decent, moral and religious public, in the choice of public officers, which has finally brought Tammany to its present straits. Up to his time Mayors had always had a general regard for decency in these matters. Grant showed at once that he had none. In truth, his own success in getting into the Mayoralty furnished some excuse for his course. Tammany had never before ventured to put up a candidate of his kind,—a young ‘sport’ of unknown occupation and liquor-dealing antecedents. He is said to have accepted the nomination very reluctantly, but the voters can and we believe will, now effectually close his political career.”

*Mail and Express*, October 20th, 1894:

“Think of Hugh J. Grant’s selection for Mayor! When the good people of New York are holding their noses and turning away disgusted from the mass of festering corruption laid largely at the doors of officials who were appointed when Hugh J. Grant was Mayor.

“Is it so soon forgotten that Hugh J. Grant himself is responsible more than any other man, for Tammany’s corrupt police force? The people cannot forget that he was the first Mayor of the city since the present Charter who, in violation of all precedents and in disregard of earnest protests alike from Democrats and Republicans, stripped the police board of its non-partisan character and delivered it bound hand and foot into the hands of Tammany Hall.

“It was Mayor Grant who made the Police Board a partisan Tammany body. All his predecessors had recognized that the clear purpose and intent of the law was that two of the Commissioners should be Republicans and two Democrats.

“From that time forth, the corrupt police officials were left entirely free to make their wretched blackmailing alliances with vice and crime. Tammany’s brazen manip-

ulators of elections were left free to do their dirty work in colonizing repeaters and debauching the ballot. The exposure by the Lexow Committee came at last in spite of Tammany's determined resistance here.

"What else is Hugh Grant responsible for? Did he not name Martin and Sheehan Police Commissioners? Were not most of Tammany's blackmailing police officials, already dismissed, others on the eve of indictment and the rest of them nearly all disgraced, appointed or promoted during the Grant *régime*? What prospect was there of a purification of our police force with Grant as Mayor?"

"We need not go into the incident of the payment of \$10,000 to Mr. Croker's infant daughter in connection with the Sheriff's nomination. Nor need we at this time refer to the extraordinary revelations regarding Mr. Grant's inefficiency when he filled the office of Sheriff. We need not diverge to speak of his selection, on the recommendation of 'Paddy' Divver and others of the same character to dispense 'justice' in the courts of our city.

"It was sufficient for the people to know that Hugh J. Grant is in large part responsible for the Tammany Police Board and Tammany's blackmailing police force. He selected the men or at least appointed them when Croker selected them, who are arraigned before the people for the shocking condition of things that exists in the police department."

The *World*, October 20th, 1894:

"It was during Grant's reign that Croker developed into a full grown 'Boss.' It was Grant who acknowledged before the Fassett Committee having made a 'present' of \$10,000 to the little daughter of Croker a short time after his election as Sheriff. It was Mayor Grant who appointed Croker as City Chamberlain; Koch, Fitzpatrick and Meakim as Excise Commissioners; James J. Martin as Police Commissioner; Divver and Hogan as police justices. It was Hugh J. Grant who in his first letter of acceptance promised to give to the people, if elected, 'the very highest order of public service that the citizenship of the country



will afford,' and yet who confined his selections almost exclusively to the extremely narrow fringe of our population compromising the active and hungry politicians of Tammany Hall.

"With the man who made this record re-elected as Mayor, what hope could there be for the removal of unfit officials, should the Legislature authorize it at once? Could Grant be expected to 'Go back' on his own Police Commissioner Martin?

"Straus was meant as a mask for Tammany. Grant presents the bare face and unsheathed claws of the Tiger. The opponents of misrule are to be congratulated that the issue in the election was thus simplified."

The editor of the *Wine and Spirits Gazette*, who is well versed in the ways which govern the Croker administration in connection with the liquor interests, in criticising the book written by Mr. Otto Kempner, entitled, "'Boss' Croker's Career," published May 9th, 1894, printed the following article, which is important coming from one who has made a study of the practices of such people.

"Mr. Croker and his associate leaders of Tammany Hall take pride in pointing to the ghost of poor old Bill Tweed, and exclaiming, 'We are holier than thou.' Indeed they actually pose as reformers and virtuous men. And they seek to establish their reputations as such, by taking care that no leakages shall occur in the city treasury. Dick Croker is no ordinary petty thief; nor will he permit any such to hold office under the city government if he knows it. And so he prides himself on his honesty and the honesty of Tammany Hall as it is to-day.

"But if Croker does not, like Bill Tweed, filch directly from the public treasury, he nevertheless finds ways and means for making his position a wonderfully lucrative one. Otto Kempner, in his book entitled, 'Boss Croker's Career,' raises the curtain slightly and shows some of the adroit leader's resources. - But he merely skims over the surface, and even what revelations he makes in that direction are buried again under a heap of personal vindictiveness which

is only calculated to create sympathy for the subject of the assault.

“Croker undoubtedly finds that honesty, that is, financial integrity, is the best policy for a man in his position, and therefore he does not steal outright. But that is a mere matter of policy with him,—a means to an end, his bid for the retention of power and, we may add, opportunity. It does not prove that he is an honest man. The *Evening Sun* told a story the other day of a notorious wharf rat, or dock thief, whom a policeman caused to be appointed watchman of a cargo of goods. He knew that the thief was too smart to steal the goods he was appointed to protect. That would betray him at once. So with Croker, who is himself not an office-holder but is over and above the office-holder.

“No man can be an office-holder, from street sweeper up to Mayor and City Chamberlain, from policeman up to judge, without Croker’s approval. Thus Tekulsky put it when asked why he went to Croker when he wanted to be nominated for delegate to the Constitutional Convention. ‘By all means; there is no other place to go.’ Right here is one of Croker’s opportunities, though Mr. Kempner has not much to say on that point. No man secures a position of any nature under the Government or a place on the Tammany ticket, until a certain fixed assessment has been paid to Tammany Hall and its receipts made up by Boss Croker. That is a reasonably good thing and ought to produce a handsome revenue. The amount of that revenue can be estimated when it is understood that the assessment is usually fixed at one year’s income of the office sought. Thus it frequently amounts to \$5,000, \$10,000, and even \$15,000 in particular cases.

“Then again, the city expends a vast deal of money every year in public improvements—street paving, dock building, sewerage and so on. The aggregate of these expenditures is many millions of dollars, all paid to contractors. That is done generally openly and above board. The contractor agrees to do certain work for which he is to be paid a fixed sum of money. The work is done and the money is paid. Investigated, and everything is

straight. The work has been performed according to contract and no more money has been paid for it than the stipulated price. Strictly honest business, you see! Who can complain? But now suppose you put in a bid for one of those contracts. Do you get the job? Not much. At least until you previously enter into a business arrangement with some city official who is sent to you for that purpose, and agree to put up a certain fixed share of the receipts—*not the profits*—for the benefit of somebody behind the scenes. Of course if you did not have to pay this tribute you could do the work at a less price and the city would be the gainer. But it cannot be shown that anybody has stolen any money out of the Treasury. Croker is cunning and does not permit that.

“Then there are all these bad places which Brother Parkhurst is so sorely troubled about and which the police cannot see, though everybody else sees plainly. How is it that a blue coat with brass buttons so strangely affects a man’s vision? Ah, the trouble is, the policeman is compelled to look through Tammany spectacles. Now let us suppose one of our readers is a bad man. That is hardly possible, but we will imagine it just for illustration. As a bad man he proposes to open a bad house, and actually does so. He will not have the place open twenty-four hours before the police pounce down upon him, shut him up and drag him off to prison. That is to say, such will inevitably be his experience, unless, previous to opening, he has seen the proper agent of Tammany and supplied him with the necessary green paper to cover the spectacles worn by the policeman on that beat. Or, sometimes even after the arrest is made, things can be fixed up so that the court will look leniently upon the offence or may even have no time to hear the complaint. But who has stolen anything? The records are all straight.

“Mr. Kempner is a good writer and earnest in his chase after hidden things, but he has merely scratched the surface, failing utterly to show wherein the villainy and corruption of Tammany Hall of to-day so far transcends that of Bill Tweed’s time as to raise the latter to the level of a saint and a martyr in comparison. Tweed

was a vulgar thief; Croker is an adroit and accomplished buccaneer. Tweed gloated over his dishonesty; Croker poses as a respectable man and public benefactor. Tweed died in the penitentiary; Croker builds an elegant mansion in an aristocratic neighborhood in which to spend his declining years. Tweed robbed the treasury and divided the swag with 'the boys;' Croker stands guard over the treasury, but robs every man who is required to put money into it, or has occasion to take any out, without giving up a dollar to any of his heelers. Tweed was a generous man, with all his faults. Croker is a stingy, narrow-hearted, close-fisted political bushwhacker. Tweed got thousands. Croker gets millions.

"After so much money had been expended in getting up a farewell dinner to Mr. Croker by his friends a few years ago it would have been encouraging to those who do not rank in that category to feel that there was some certainty that his absence would be perpetual. It has been made apparent, however, that such will not be the case. We must make up our minds to the fact that whenever there is a chance that virtue may triumph over vice in this city we must expect a return of Richard Croker to Tammany Hall."

The writer quotes from an article published in the *New York World* of February 9th, 1896, in reference to the farewell dinner referred to. Mr. Croker, addressing his friends, said:

"I did not kick out Mr. Sheehan, I haven't forced Mr. Sheehan upon you. If I thought Mr. Sheehan was going to knock out my friends, who have stood by me for thirty years, I would be the first to say, 'Put him out!' If he did start in to punish any friends of mine I would be back in the organization in a minute at the head of my old gang."

From the time of the Tweed Ring exposures crime seemed to be wonderfully on the increase. Respectable people began to realize that the police department was

rotten to the core and that it was time a legislative examination be had as to the condition of the different departments, to the end that if necessary some remedy might be administered through the Legislature. It was evident that there was to be no punishment for the men who had acknowledged their guilt in robbing the city of such vast sums, and that the mantle of protection was being thrown about public officials against whom positive proofs of bribery could be produced. People were becoming alarmed at the audacity with which officials treated heinous crimes, and on May 19th, 1875, the Assembly appointed a committee, consisting of Messrs. Thomas Cooper Campbell, John J. McGowan, Leo C. Dessar, James W. Husted, and Jacob Hess, with power to compel the attendance of witnesses, the production of papers and to take proof as to why crime was so on the increase. That committee appointed the writer as its counsel.

## CHAPTER XXV.

### THE ASSEMBLY COMMITTEE ON CRIME.

THIS Committee is worthy of mention not only as showing the enormity of crimes exposed in 1875, but the indifference manifested by the Legislature at that time to matters of such importance. A brief review of its labors will also illustrate the advance of moral sentiment in our community as indicated by the results obtained from the exposures made by the Lexow Committee, where not a tithe of the proofs of crime were produced that were exhibited before the Committee of 1875. The authority upon which the Committee acted was the following:

WHEREAS, The steady and rapid increase of crime in the City and County of New York has created great alarm in the minds of all good citizens of that city; and

WHEREAS, The proper authorities charged with its apprehension, prosecution and punishment appear to be inadequate to its speedy suppression, while the interests of good government require that all offences against the law should be dealt with in the most summary and decisive manner; therefore,

*Resolved*, That the Speaker of the Assembly be, and he is hereby authorized to appoint and select a Committee of Five, which Committee shall have power to send for persons and papers and compel the attendance of witnesses and enquire into the cause, as far as possible, of the great increase of crime in said city and county by making such examination and investigation of all persons and officers,



books and papers in said city and county that may in any way be connected with the prosecution, suppression and punishment of crime, that the said Committee may deem essential and necessary; for the purpose of ascertaining if such increase of crime can be charged to the negligence or connivance of any of the public officers whose duty it is either to arrest, detect, prosecute or punish crime in said city and county, together with such other matters as said Committee shall deem best for the public good. Said Committee is hereby authorized to sit during the recess of the Legislature, and report the result of their investigations, together with such recommendations in relation thereto as they may deem necessary and important for the prosecution of law and order in said city and county, to the next Legislature; and said Committee is authorized to employ a stenographer, who shall be Clerk of the Committee, and a messenger.

This Committee held open meetings every other day in the chamber of the Board of Aldermen, and sat with but one short intermission, from June 10th, 1875, to December 29th. It examined very thoroughly the Police Department, the District Attorney's office, the penal institutions, both public and private, the Police Justices, the Excise Department, the Department of Charities and Corrections, the Penitentiary, the Work House, the House of Refuge, the Catholic Protectorate and Juvenile Asylum. In addition to the testimony of witnesses of crimes, a large amount of expert testimony was taken, bearing upon the different subjects, all of which was called for by the Legislature.

It was proven before the Lexow Committee that money was exacted by the police from keepers of houses of prostitution before they were allowed to ply their business, but that trade was nothing new.

Twenty-five years ago the writer defended a woman who cut the throat of a policeman on the corner of Canal Street and Broadway. She was a courtesan, who had been ill for some days and during that time had not been able to make money on the street. The policeman demanded



of her his usual fee for protection, and because she did not pay it he used his club upon her. She had a small knife in her hand and when he struck her she struck back, and the blade of the knife by chance pierced his jugular vein. He died in a few minutes.

To protect the police every effort was made to hang the woman. She was convicted of murder in the second degree and sentenced to State Prison for life. An appeal was taken and her conviction was set aside. She pleaded guilty to the lowest degree of manslaughter, and was sentenced to one year in the Penitentiary.

That trial is referred to as showing that when proof was presented, nearly twenty-five years ago, that the police collected money from such women, it aroused but little or no indignation. When the details of the shocking acts were ventilated by the press in 1875, beyond the mere expression of editorial indignation, no public sentiment was aroused. The feeling manifested two years ago when Dr. Parkhurst told what he knew and had seen of crime in this city, if it indicated anything, it was that the determination and sincerity of purpose of just such a man was all that was required to awaken the public to a realization of its duties and obligations. It was proved before the Committee of 1875, not only that some captains shared in the proceeds of women's shame, but that one of them who has since been advanced to the position of an inspector on the force and still later retired with honor, not only received weekly payments for allowing panel houses to flourish in his precinct, but he was known to share with the woman the amount of money stolen by her whenever complaint of robbery was reported by the victim at the station house. It was further shown that the same captain forcibly took from one of these women money and diamonds which she had stolen, and when she sued him for their return, he set up as a defence that she had given them to him.

The ignorance exhibited by the police captains in those days of what crimes existed in their precincts was unparalleled. One captain did not know that a certain woman, whose vile reputation was known through the city,

lived in his precinct and was apparently astonished when the Committee proved that she was then running there five houses of prostitution. The same captain was equally astonished to learn that a notorious gambler kept an establishment in his precinct although it was run so openly that any one who chose could obtain access to it. These are but illustrations of the testimony taken by the Committee as bearing upon the police, and they are given for the purpose of showing that nothing in regard to the habits of the police was presented before the Lexow Committee that had not been fully developed before. The fact is, that the seed sown by the Lexow Committee fell on better soil, consequently the harvest was fuller.

A few words concerning the condition of the detective force in 1877. In the winter of 1873 heavy forgeries were committed upon the Bank of England by two Americans, Bidwell and McDonnell. McDonnell subsequently made a confession directly implicating two detectives: Irving, who was at the head of the force, and another. McDonnell said that after the forgeries had been committed in England that he telegraphed Irving, who he said was his friend, to meet him upon the arrival of the steamship "Cuba." It appears that the attorney for the Bank of England had also received information that McDonnell would arrive on that vessel and had notified the United States Marshal to be in readiness to arrest him. Irving heard that the marshal intended to board the vessel and make the arrest, so he and his associate boarded her far down the bay and then induced McDonnell to give them a package of bonds of the value of \$17,000. Irving said nothing to him about the intention of the United States Marshal to arrest him, but left him entirely in the dark upon that subject. After McDonnell discovered the trick that had been played upon him, and after he had been returned to England, he divulged what had occurred. With this statement before them the Commissioners of Police refused to put Irving and his friend on trial, and a distinguished lawyer, who afterward became Attorney-General of the United States, retired from the prosecution in disgust, on that account.

The Committee also found, that the office of the District Attorney had been for some years negligently and inefficiently administered. Case after case came before the Committee fully supported and confirmed, leaving no doubt in the minds of the Committee that such office was corrupt. In one instance it was shown that more than one hundred indictments were found in one day against lottery dealers through the agency of one of the assistants in the District Attorney's office. That assistant has ever since held distinguished positions in this city. These indictments were found about election time, and few of them were ever tried. Against Tweed twenty-two indictments were found and only one, and that for misdemeanor, was ever tried. It would be tedious to review any more of the testimony. It is sufficient to say that enough testimony was taken to fill three large volumes, containing in all more than three thousand pages of printed matter. The criticisms of the press at that time on the doings of that Committee might have been appropriately written during the sittings of the Lexow Committee. A few extracts are given:

From the New York *Herald*, July 11th, 1875:

#### THE POLICE REVELATION.

"It begins to be more and more evident as the investigation of the Legislative Committee progresses that the real cause of the rottenness of the present police and of the consequent saturnalia of crime in this city must be searched for higher up than the officers who blackmailed degraded females and received hush money from thieves. It must be clear to every man of common sense that the rascality charges against captains, detectives and others could not have been concealed from the knowledge of the Commissioners. If the Commissioners have for years or months been ignorant of villainies that have been discovered by an investigating committee without any extraordinary effort in three or four weeks, it is conclusive proof that they are unfit for the positions they hold." \* \* \*

From the New York *Herald*, Friday, July 16th, 1875:

THE DEMORALIZATION AND INEFFICIENCY OF THE POLICE FORCE.

“ \* \* \* The disclosures before the Legislative Investigating Committee have already proved that the officers of the force, captains and others, are in improper intercourse with lawless characters and are in the habit of levying blackmail and receiving hush money from criminals of all degrees. The ward detectives seem to be only so many stool pigeons and receivers for their captains. Starting from this point, can we expect to find honest, efficient and well disciplined patrolmen under the command of such officers? On the other hand can any sensible man believe that such practices would be followed by captains if they did not know those in authority over them either to be as corrupt as themselves or utterly incapable of managing the department? The conclusion is therefore inevitable that the evil commences at the head and permeates the whole department. Practically the Commission is still in the condition to which it was reduced by the late Mr. Havemeyer’s unfortunate appointments, and no substantial reforms can be carried out unless the board be reorganized. We had Gardner and Charlick holding the power of the Board until the courts of justice disposed of them. Now we have Matsell and Disbecker. The idea of any competent management or control of a great force under such men is ridiculous. Inefficiency or worse in the heads, is followed by inefficiency or worse in the immediate subordinates.” \* \* \*

From the New York *Herald*, Sunday, July 18th, 1875:

POLICE CRIMES—THE DUTY OF THE PRESS.

“While the testimony adduced before the Assembly Committee on Crimes reveals nothing that was not known before, a peculiar value attaches to it on account of its official solemnity. What was previously a suspicion or belief is

now an established truth. The Police Department is proved beyond all doubt to be honeycombed with corruption, and more dangerous to the peace and well being of the community than the criminal classes against which it was organized to protect the people. So potent has this influence for evil become that the official blackmailer practically defies every effort at punishment and boldly pursues his policy of oppression and fraud without any sense of danger from detection or exposure. Thieves and burglars may be seen in the open day on terms of intimacy with policemen and police captains. The station house and the police court have become a certain protection for crime. The officers of the law are partners in guilt with keepers of panel houses and dens of prostitution. The miserable creatures who walk the streets selling their bodies for bread are taxed by uniformed ruffians, who grow rich on the wages of vice. Only the innocent are in danger from police supervision, and so terrible has this abuse become that the word 'railroading,' in the thieves' parlance, now means the conviction of innocent persons for the security of the real criminals and their official protectors. We regret the necessity which compels these avowals, but no right-minded man who has read the testimony already brought out by the legislative committee or who keeps in mind the repeated exposures in the columns of the *Herald*, can fail to reach the conclusion that our police management is infamous—that the department itself is an infamy. It grieves us to say this, because the fair fame of our city is involved in the delegation—but the duty is one which can no longer be disregarded. Further concealment or supineness is death. No community which is held at the mercy of a class of ignorant and unscrupulous men such as compose the majority of the metropolitan police can expect to continue prosperous and happy, and the duty of destroying both the corrupt officers and their vicious practices is paramount and immediate. The partnership between the criminal classes and the police was slow in growth, but it has acquired such strength that it is dangerous for any innocent man to know the guilty secrets of the one or the other; and unless it is suppressed



now, by the complete reorganization of the department and the punishment of the men who have brought such infinite discredit and disgrace upon the community, life, liberty and property will be less secure in New York than with the brigands of Italy and Spain. \* \* \* Look at the subject as we may, from the side of the accusers or the accused, from a belief or a disbelief in the accusations, we are alike compelled to deprecate the fatal supineness which has seized and paralyzed the body politic and leaves the city at the mercy of official or unofficial vultures." \* \* \*

From the *Evening Telegram*, July 26, 1875:

#### POLICE DEMORALIZATION—THE CITY'S PERIL.

" \* \* \* Very few reputable citizens, if any, could have been prepared for the development of police rascality made before the Legislative Investigating Committee. We may well start back affrighted from evidences of the moral pestilence that has been raging in our midst. We have been prompted, by the alarming increase of crime in the metropolis, to investigate its cause and we are at once confronted by the discovery that we have hitherto been ignorant of the extent of crime. Nightly robberies have been committed that under the protecting care of the police have never come to light. Panel house thieves have plied their trade secure from molestation by officers with whom they have shared their gains, and whose part it has been to drive off or buy off the victims. An inefficient police would fail to check crime, through its inability to detect criminals and bring them to justice. A corrupt and debauched police has made crime rampant by fostering and shielding criminals for the sake of sharing in their lawless profits. It has been said, on behalf of the members of the force thus far implicated by the testimony taken before the committee, that their accusers are persons of disreputable character, undeserving of credit. This is only partially true. While some of the old accomplices of dishonest officers have appeared against them, their evidence

is corroborated by others who are credible witnesses, and by many who have found to their cost that the police are the protectors of thieves. It is not surprising that Governor Tilden, startled by these developments, should have waited upon the Mayor, to urge the necessity of a thorough reform of our police management." \* \* \*

From the *Commercial Advertiser*, July 29th, 1875:

#### UNUSUAL ACTIVITY.

“There seems a prospect that, while the legislative committee are sitting here, we shall be living in quite a reputable city. In spite of the sneering and derision with which the appointment of these committees were received in the city it appears they are working out very gratifying results. Unusual exertions are being made to repress crime. The police are vigilant, and, if need be, daring. Those whose operations have been most thoroughly exposed display the closest observation of duty. One might almost believe to-day that we have the finest police in the world. But not only are the police extraordinarily active but the Excise Commissioners are waking up and putting forth exertions on their own account that are most commendable. Whatever may be said of the negligence of other departments it was never assumed that the Excise Board were derelict in their duty. It has been well known for months that they have had evidence in their possession which if used by the police, would shut up a large proportion of the the disreputable liquor selling places in the city. But for some reason or other this evidence was never used, and the consequence was, law was disregarded and public decency outraged by the open and unlicensed doors of low ‘bucket shops’ and other resorts of the vile and low.

“Recently the Excise Board have made a demand that the police assist them in the work of clearing the city of these places, and that demand being complied with, we see the result chronicled every day in the papers by the announcement of ‘more raids.’”



From the *New York Herald*, October 16th, 1875:

#### THE POLICE DEMORALIZATION.

“The answers of Police Commissioners Matsell and Disbecker to the charges preferred against them, and to the request of the Mayor for their resignations were made yesterday. The counsel by whom the answers were written have overshot their mark, and whatever credit they may have won as sharp controversialists has been gained at the expense of their clients’ interests. They have been unmercifully severe on Mayor Wickham. They have made an ingenious and not altogether unsuccessful effort to convict him of inconsistency. They have turned upon him with the rebuke that if the police force has, as he alleges, been inexcusably inefficient and demoralized beyond hope of recovery, he has himself, as the head of the city government, made no effort and offered no suggestion or direction for its reformation or improvement. They have disclosed the fact that he secretly united with the arraigned Commissioners in the lobby’s defeat of the bill introduced by his own party at the last session of the Legislature to separate the street cleaning business from the police department. They show in some instances the Mayor is not so familiar with the details or the police laws and regulations as he might be.

“But at the same time they prove conclusively that their clients Disbecker and Matsell are not fit to be at the head of the police force of the city; that their continuance in their present position is inconsistent with the public interests and with the harmony and efficiency of the city government, and that their removal has already been too long delayed.

“It is absurd for Disbecker and Matsell to tell the people of New York that crime has not increased in this city within the past two or three years; that the charges that gambling and panel houses exist throughout the city to an alarming extent and with astonishing notoriety is a reckless assertion entirely untrue; that the recent presentment of the Grand Jury was the result of undue

‘operations,’ and that the New York police force is ‘as efficient in the discharge of its duties as any existing in any city in Europe or America.’ The recklessness of such statements can only strengthen the public conviction that the present heads of the department are either incapable or dishonest. When it is notorious that captains of the police have been pensioners or blackmailers of violators of the law, that detectives have been in the pay of thieves and have in return afforded them protection and immunity, and when the police commissioners themselves have shifted precincts and remanded detectives to patrol duty on those very grounds, it becomes something worse than impudence to put forth such assertions in an official document. If anything more could be needed to prove that Commissioners Matsell and Disbecker are unfit for the positions they occupy it would be found in the tone of their reply to the letter addressed to them by the Mayor in the discharge of his official duty.”

From an editorial on the District Attorney, in the *World*, October 20th, 1875:

“Not a little insight into the ways and workings of the District Attorney’s office under the administration of Mr. Benjamin K. Phelps was obtained yesterday by the Committee on Crime from the testimony of Mr. Allen, late one of Mr. Phelps’ assistants. Mr. Phelps is now seeking a re-election at the hands of the Custom House party and the renegade Democrats, and we commend to such voters of those parties as have any sense of justice or even decency, the evidence which Mr. Allen gives in the case of the notorious Mike Norton. Norton having been indicted with the rest of the minor Ring thieves and having forthwith been kicked out of the regular Democratic organization, takes what he calls his influence with him and seeks admittance to the Republican camp, where he proves to be a welcome guest. Norton, however, has his price, which in this case is easily obtained, and the bargain made with him is that he shall aid the Custom House candidate in his district, in consideration of which

the indictment against him shall be pigeonholed by the faithful District Attorney. Both parties to this admirable contract performed their obligations, and when Mr. Allen proposes to have Norton arrested and tried in the natural order of events he is told by his colleague Lyons, who is also Secretary of the Custom House Central Committee, to mind his business, lest he burn his fingers; that matter had been 'fixed' already. Every one knows how systematically Phelps has used his arbitrary authority for the basest partisan ends, but we do not remember any instance in which such a procedure has been testified to under oath, as this of the bargain with Norton. Mr. Campbell's committee cannot do better public service than it is doing now in showing up the corruption of an officer which it is of extreme and unusual importance to have entirely clean and impartial."

From the New York daily *Tribune*, October 27th, 1875:

#### A DUTY FOR MR. PHELPS.

"What has Mr. Phelps done about the disclosures recently made before the Committee on Crime in the case of Captain James Irving and Farley, the detectives? If the statements made are true, the facts are monstrous, and demand instant inquiry, for one of the accused is high in authority on the police force.

"A skillful forger, so the evidence runs, robs the Bank of England of half a million dollars and escapes to this country, and having first informed the above named detectives of his coming, requests them to meet him on the steamer, forwarding at the same time \$400 to one of them to pay necessary expenses. The detectives meet the forger and after preventing the sheriff's deputy, armed with an order of arrest and attachment, from boarding the steamer to seize their confederate, they take him in their charge and practically under their protection, and make way with the money of the bank, which he has stolen. The attorneys of the Bank of England made these charges and laid this evidence before the Police Commissioners, yet

Farley was allowed to resign and Irving was put in charge of the Harbor Police.

“The facts have again come out before a legislative committee at a time when Mr. Phelps is claiming reelection on the ground of his vigorous prosecution of criminals, and yet we hear of his doing nothing to bring the men thus accused before the Grand Jury. The charge is monstrous; the delay to investigate it for a single day, is, in view of Irving’s power for mischief, worse still. Has Mr. Campbell, as Chairman of the Committee, offered to lodge the evidence before the Grand Jury? If not, why not?”

From the *Evening Telegram*, November 10th, 1875:

#### THE BEST POLICE IN THE WORLD.

“The rank and file of President Matsell’s ‘best police in the world’ are rapidly drifting into a state of utter demoralization, if we may judge by the alarming increase in the number of burglaries, highway robberies and petty thefts, as well as the reports of outrages perpetrated by these model guardians of the public peace in various precincts of the city. Time was when the *morale* of the police force was good, when the citizens had some guarantee of protection to life and property at the hands of the men who are paid \$100 per month for that purpose; but that time was long ago. Burglars now roam the city at will, enter residences, stores and offices and pillage them under the very eye of the police; river thieves boldly board vessels at the piers within sight of a uniformed officer’s post, commit piracies and when resistance is offered use the knife and slung shot upon their victims and escape; highwaymen’s friends will inveigle an officer into a corner grocery and while he is there canvassing with his boon companions the respective merits of Morrissey and Fox. Disbecker and Smith, the partner of his entertainers is at his post committing highway robbery or picking pockets. There is in fact no protection to the property of our citi-

zens. We have as an evidence of this distrust on the part of the people a good illustration in the recent organization of an insurance company to take risks against burglary. Nobody has any confidence in the police force as managed by Matsell and Disbecker, and what is now needed is a thorough reorganization of the force. To accomplish this the Mayor should begin at the root of the evil. He should dismiss Matsell and Disbecker and appoint fearless men, who have no political masters to obey and then the force should be reorganized.

“The rank and file are not so much to blame as the public suppose. The patrolman who sees the Commissioners winking at crime, compounding felonies and devoting their energies to the recovery of watches stolen from their friends has no incentive to be vigilant. He reasons that if his superiors compromise with thieves he is doing no harm in consorting with them and drinking at their expense. That many have profited by the example of the late publisher of the *Police Gazette* is evident to any citizen who walks our streets at night. Between the tours of roundsmen he will rarely find a man patrolling his post. Let him enter the low concert saloons, the grog shops and the fire houses and he will generally discover the officer engaged in a game of euchre, or with a good poker hand playing for the drinks. And if by some accident he does find the policeman on post, ten times out of a dozen he is making love to some strumpet or engaged in blackmailing her out of a few dollars. This is no fancy picture of police demoralization in this city. Rip Van Winkle Matsell knows it is true, and he knows too that he is largely responsible for this condition of things. Let the mayor relieve the people of the loads they carry in having Matsell retained in office, and appoint some man of firmness and fearlessness, such as the late John A. Kennedy or Thomas C. Acton, and we will quickly see a change in the *morale* of the force.”

At the close of the examination of the Police Department the writer felt it to be his duty to prepare charges against Commissioner Matsell and Disbecker and he did

so, and presented them to Mayor Wickham. Mayor Wickham subsequently removed those Commissioners, and Governor Tilden endorsed his action.

Now comes another excellent illustration of "practical" politics. After the first of January, 1876, the Legislature again became Republican and Hon. James W. Husted was elected Speaker of the Assembly. It will be remembered that he was a member of this committee selected to investigate the cause of crime. As directed, the chairman at the opening of the Legislature, handed in the testimony with the report of the Committee to Mr. Husted as Speaker of the Assembly. That gentleman committed them to a committee of the Assembly and they were never heard of thereafter.

A large amount of money and much time had been expended in an inquiry in which the whole community were deeply interested, but it came to naught.

This was done by a man who had accepted his position as member of the committee, and was in honor bound to see that the report met with fair consideration.

It has been said that such report was suppressed because it obtained matter which seriously affected the Republican District Attorney who then desired renomination. He was renominated and elected.



## CHAPTER XXVI.

## PRACTICAL POLITICS.

PRACTICAL politics can only be played to advantage by practical politicians. To entrust schemes for party advancement to men who are not in touch with the party would be considered great lack of political acumen. A suggestion that Dr. Parkhurst or Mr. Seth Low or gentlemen of their stamp should be elected by either Tammany Hall or Republican leaders to decide what bills should be presented in the Legislature, would unquestionably be met with derision by both parties. There is no good reason why such should be the case. No one could question the integrity of such gentlemen or their ability to distinguish between a bill of general interest and one designed for personal interest or political purpose, nor could it be contended that any bill which ought to be passed requires any other kind of ability to appreciate it than such as emanates from a clear brain and honest intention. There is no necessity whatever for the presence of practical politicians in the administration of municipal affairs.

Nothing more is required to give honest government to cities than that the men selected to hold offices should be honest, capable of fulfilling their duties and firm enough to insist that all men have equal rights.

There is but one way to get rid of such politicians. All persons who hold public office from the highest to the lowest should be compelled to submit to a Civil Service examination as to capacity and character, and before the



appointment of a Civil Service Board the character and ability of each member should be carefully investigated. This remedy would have a twofold effect. It would be a great service to the public at large, as they could not be disturbed by any political maneuvering, and it would have the effect of restoring to private life and labor the hosts of men who are constantly carried along by politicians on the waves of promises which are rarely fulfilled. Another reason may be added that nothing is more demoralizing to any department than that the head of it should be compelled to accept only such employees under him as practical politicians recommend.

Tweed, Sweeney, Connolly, Croker, Grant, Gilroy and Platt are good types of practical politicians. They have all worked for money or "pull," and secured one or the other. In the cases of Tweed, Sweeney, Connolly and Hall, the result of practical politics has been to them everlasting disgrace. What the future has in store for the others, is yet unknown.

The result of "practical" politics to others than the "Bosses" has been:

FIRST: To the great Trusts and Corporations, increased finances and power, at the expense of the poor.

SECOND: To the executive and legislative departments, loss of public esteem and personal self-respect.

THIRD: To the Judiciary, a loss to a great extent of that feeling of security which only comes from a sense of absolute confidence in the judges.

FOURTH: To the general public, poverty and disgrace. In other words the almshouse and prison.

People who are not especially interested in politics and who only look at the game from curiosity, wonder that intelligent people follow as leaders men who grow wealthy without any visible means of acquiring such wealth, while the same followers gain nothing by way of recompense and often find it difficult, by honest labor, to earn sufficient for their daily wants. The scenes that were witnessed in this city two or three years ago when men who had been beguiled into breaking the laws at election time to aid their leaders, were tried, convicted and sent to prison with

but little effort made to save them, ought sufficiently to indicate how little those so-called leaders deserve their loyalty.

#### WHO ARE PRACTICAL POLITICIANS?

FIRST: The "Boss" and the immediate ring by which he is surrounded.

SECOND: The leaders of districts and the men they select to represent, with them, the organization.

THIRD: The men on the Bench and in the public offices who, to please the "Boss," deprive litigants, lawyers and persons having business in their departments, of their just rights. These are the most contemptible of all.

FOURTH: The go-betweens who collect the assessments and do such dirty business as is required of them.

FIFTH: The controlling powers in some of the great corporations, such as Presidents and Superintendents.

The sentiments herein expressed are not those of one opposed to the Democratic party. No one who is Democratic enough to believe in equal rights to all men, can be satisfied with such Democracy as is presented in Tammany Hall to-day. It is pure Democracy to know no distinction, as far as the individual is concerned, between the rich and the poor man—to be equally considerate in matters of religious belief, and to feel that a good citizen of native birth has equal rights with one born on foreign soil; but Tammany Hall to-day is the most undemocratic institution in this country as Catholics and Irish control it to the exclusion of all other creeds and nationalities, including American born citizens.

Those who play the game of "practical" politics in the Republican party are equally distasteful, for they are imbued with the same spirit, and differ from their Democratic brothers in the fact only, that their political strength in this city is less. Their services are not needed here unless it becomes apparent that the moral sentiment in the community has been aroused and it needs the combined effort of all "practical" politicians to defeat it.

Mr. William R. Grace is a good illustration of what "practical" politics could accomplish in past days. Mr. Grace was admitted to citizenship in the Court of Common Pleas on November 1st, 1889, and on the following day he was elected Mayor of New York.

The following are copies of the first and second naturalization papers by which Mr. William R. Grace became a citizen of this country.

FIRST PAPERS.

COURT OF COMMON PLEAS,

FOR THE CITY AND COUNTY OF NEW YORK.

IN THE MATTER OF THE APPLICATION OF  
WILLIAM R. GRACE,

By Occupation.....

TO BE ADMITTED A CITIZEN OF THE UNITED  
STATES OF AMERICA.

CITY AND COUNTY OF NEW YORK, }  
STATE OF NEW YORK, } ss.:

WILLIAM R. GRACE, the above named applicant, being duly sworn, says that he resides at No. 84th Street, that he has arrived at the age of twenty-one years; that he has resided in the United States three years next preceding his arrival at that age and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority and one year at least immediately preceding this application, within the State of New York; and that for two years next preceding this application it has been bona-fide his intention to become a citizen of the United States.

W. R. GRACE.

Sworn to before me this 30th day of December, 1867.  
N. JARVIS, JR., *Clerk.*

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.:

THOMAS T. HUSSEN, being duly sworn, says, that he resides at Jamaica, Long Island, N. Y., and that he is well acquainted with the above named applicant; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of twenty-one years, that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year at least immediately preceding his application; and that during that time he has behaved as a man of good moral character; attached to the principles of the Constitution of the United States; and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been bonafide the intention of the said applicant to become a citizen of the United States.

T. T. HUSEN.

Sworn to before me this 30th day of December, 1867.  
N. JARVIS, JR., *Clerk.*

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.:

I, WILLIAM R. GRACE, the above named applicant do declare on oath that it is bonafide my intention, and has been for two years next preceding this application, to become a citizen of the United States; and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereign whatever, particularly to the Queen of the Kingdom of Great Britain and Ireland, of whom I am now a subject.

W. R. GRACE.

Sworn to before me this 30th day of December, 1867.  
N. JARVIS, JR., *Clerk.*

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.:

I, WILLIAM R. GRACE, the above named applicant, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereign whatever, and particularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I was before a subject.

W. R. GRACE.

Sworn to before me this 30th day of December, 1867.

N. JARVIS, JR., *Clerk.*

At a Special Term of the Court of Common Pleas, for the City and County of New York, held in the Court House of the City of New York, on the 30th day of December, 1867.

*Present:*

HON. H. C. VAN VORST, *Judge.*

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IN THE MATTER OF THE APPLICATION OF THE  
WITHIN NAMED APPLICANT TO BE AD-  
MITTED A CITIZEN OF THE UNITED STATES  
OF AMERICA.

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The said applicant appearing personally in court, producing the evidence required by the Acts of Congress, and having made such declaration and renunciation and having taken such oaths as are by said acts required. IT IS ORDERED by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter.

H. C. VAN VORST, *J. C. P.*

A copy.

S. JONES, *Clerk.*

SEE RECORD OF NATURALIZATION, FILED DECEMBER 30TH,  
1867.

## COURT OF COMMON PLEAS,

FOR THE CITY AND COUNTY OF NEW YORK.

<p>IN THE MATTER OF THE APPLICATION OF WILLIAM R. GRACE, By Occupation, Merchant, TO BE ADMITTED A CITIZEN OF THE UNITED STATES OF AMERICA.</p>	}
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STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK, } ss.:

CHARLES R. FLINT, being duly sworn, says, that he resides in No. 1 Montague Terrace, Brooklyn, in the State of New York, and that he is well acquainted with the above named applicant, and that the said applicant has resided within the United States for the continued term of five years at least next preceding the present time, and within the State of New York one year, at least, immediately preceding this application; and that, during that time, he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

CHAS. R. FLINT.

Sworn in open court this 1st day of November, 1880.

N. JARVIS, JR., *Clerk.*

STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK, } ss.:

I, WILLIAM R. GRACE, residing in No. 31 East 36th Street, New York City, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereign whatever, and particularly to the Queen

of the United Kingdom of Great Britain and Ireland, of whom I was before a subject.

W. R. GRACE.

Sworn in open court this 1st day of November, 1880.

N. JARVIS, JR., *Clerk.*

At a Special Term of the Court of Common Pleas, for the City and County of New York, held in the Court House of the City of New York, on the 1st day of November, 1880.

*Present:*

HON. CHARLES VAN BRUNT, *Judge.*

---

IN THE MATTER OF THE APPLICATION OF THE  
WITHIN NAMED APPLICANT TO BE AD-  
MITTED A CITIZEN OF THE UNITED STATES  
OF AMERICA.

---

The said applicant appearing personally in court, producing the evidence required by the Acts of Congress, and having made such declaration and renunciation and having taken such oaths as are by said acts required. It is ORDERED by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter.

C. V. B.,

A copy.

J. C. C. P.

S. JONES, *Clerk.*

If the fact had been generally known in the City of New York that Mr. Grace was not a citizen at the time he was a candidate for Mayor in 1889, it is not at all likely that he would have received such nomination, and if it had been known on election day that he had only been a citizen for one day, he certainly would not have been elected.



## CHAPTER XXVII.

## THE MAN OF THE HOUR.

DR. PARKHURST as far back as 1893 declared that he regarded the investigations he was making into the condition of the Police Department as "part of his religious duty." Does anybody doubt that the intense interest manifested by this one man in throwing light into the dark corners of our city life at that time was from a sense of duty? Not one of his bitterest foes has ever charged that he was governed by mercenary motives. Unquestionably it was his devotion to duty, which was manifest in everything he did or said, that brought in touch with him the press, which for years had been comparatively silent regarding the outrages which were ever occurring in this city. Had it not been that he dared to go himself into the dens of iniquity to investigate, and feared not to give to the public from his pulpit what he had witnessed there, the drowsy public as usual, would have raised their eyes to heaven in horror and prayed they might not be again disturbed.

Dr. Parkhurst did not give the people a chance to slumber. Day after day, with sledge hammer blows he forced upon their attention the mighty evils that were being perpetrated in our midst. That huge engine the press turned the whole force of its immense power in favor of a righteous cause. Men and women who had become purblind to vice through their social surroundings listened to the clarion voice of Dr. Parkhurst and even so-

ciety thought it the thing for once to strive for an honest city government. Social offenders and the church were the only ones who were lukewarm.

What better opportunity had the clergy of this city to work, as they all profess to do in the service of their Lord, than to join with Dr. Parkhurst in his great crusade against crime. Any one who has no especial knowledge of the ethics of theology but accepts the ten commandments as a criterion for good conduct, would imagine that a field of crime that had been personally explored by one whom they had every reason to trust, would be a Golconda for the clergy of this city. Standing almost alone, Dr. Parkhurst not only stirred to the foundation the moral element in this city, but created a desire for a better government in almost every city in the country. To what can such supineness on the part of the clergyman in this city be attributed? If such men had not the strength as individuals to bear the double burden of keeping down sin in their own congregations and administering rebuke to public evils it would have been well if they had recalled their missionaries from the different quarters of the globe and set them at work in the dens of iniquity in this city.

All credit be given to the few men in the ministry who did give aid and encouragement to Dr. Parkhurst. That lack of interest which was displayed among the clergy, Catholic and Protestant alike, while the laity of the city were struggling to suppress vice and obtain a purer form of government, has done much to encourage crime and weaken the power of the church. If every priest and clergyman had forced upon his congregation the plain truths which emanated from the pulpit in Madison Avenue we would have had nothing to dread, for a long time, from official corruption.

Dr. Parkhurst was, *par excellence*, the man of the hour. His "awakening" sermon from his pulpit in 1894 had the same effect in that year as did the terrible onslaught made by the *Times* in 1871 on the Tweed Ring. In neither of these eras were men of mature age ignorant of the vices which surrounded them. They had become habituated

to seeing and knowing of crime, and some of them were confederating with the thieves under the impression that corrupt government must exist in this city and that it was the part of prudence, as business men, to close their eyes to their surroundings. Dr. Parkhurst shamed such people into activity.

At the time that the Lexow Committee stirred up affairs in the Police Department, the police officials were not as corrupt as they had been for many years previous thereto, certainly they were no worse than in the past. So long as corruption was not brought under the very noses of our community and did not enter into their home circles they seemed willing to accept it. The *Times'* articles in 1871 directed attention to the fact that the Tweed Ring with whom our mature and moral citizens had been in business relations, had taken advantage of their opportunities and had nearly bankrupted the city. Fear for the loss of money, fear for the loss of business standing, fear that their association with the thieves would become known and fear of social scandal, compelled such citizens in 1871 to make, for a time, a show of moral force. They did not, they dared not insist upon the punishment of the thieves as they deserved. They were compelled to accept the monstrous loss that the city had sustained and to pray that what had transpired might be forgotten of all men. Many of the citizens who were complicated with the thieves in 1871 are still living. These citizens know and are known to the men now in power in the city who in 1871 were the servants of the Tweed Ring, and these citizens know that these men who are now in power are conversant with what transpired thirty years ago, and therefore such men in power feel now the same security against punishment as did the thieves of old. What but this will explain the indifference which has manifested itself during the last year to bringing the Croker gang to punishment? To punish police offenders, yes, if it became necessary to make a show of morality, but not others.

As has already been suggested, the onslaught by Dr. Parkhurst upon the kinds of crime over which the Police Department had control, had a much greater effect upon

the community than the *Times'* articles of 1871. The mature citizen had not perhaps mixed much with the low crimes described by this able clergyman. All the women and young people who were not familiar with such corruption, and all men who knew from experience what Dr. Parkhurst said was true, and who felt necessitated under the circumstances to appear moral, felt called upon to enroll under the banner of reform. The desire to destroy such iniquity was confined to no one order or class of society. The worthy poor man with a family felt the same indignation as the wealthiest among us. The bitterness against the bosses arose out of the feeling that but for them such a condition of society could not exist, and what at first seemed largely confined to police practices, spread to the other departments, and it became apparent that the whole municipal system was rotten. The press, which had shielded the thieves in 1871, opened with its heaviest batteries against the whole city government.

It was the unconquerable determination of Dr. Parkhurst to succeed and which was so manifest in him, that made him the recognized teacher in reform movements in 1894. He appeared to be imbued with the gift of good judgment. He smote the enemy with the force of a whirlwind. No man who did not feel in his inmost soul that he was called upon to right a great wrong could have passed through all that Dr. Parkhurst did in the year 1894, without destruction to both his physical and mental powers. It was Parkhurst's pen and tongue that brought into existence the Committee of Seventy of 1894, and he did more to keep courage in the varied combinations of men and women who walked on to the great victory in November, than any other person.

## CHAPTER XXVIII.

## THE CONTEST IN 1894.

THE inauguration of the Reform movement which resulted in the success of the fusion ticket in November, 1894, may be said to have begun when the Fassett Committee held its sessions in this city in the spring of 1890. The testimony of Patrick H. McCann, who was a brother-in-law of Richard Croker, and that of Hugh J. Grant, who was then Mayor of the city, which was taken before that Committee, established beyond doubt that Tammany men who then controlled the city shared in illegal fees, bought and sold aldermanic votes and were generally perverters of good morals, and their testimony further disclosed that those leaders who had been brought up in ignorance and poverty had suddenly developed extraordinary wealth without any visible means for its honest acquirement.

From that time the question as to how they obtained such wealth has been matter of interest. Threats were made by Grant and others to prosecute McCann for perjury, but no one ever commenced an action with such purpose. From the time referred to until the fall of 1893 the necessity for a change in the government of this city had been uppermost in the minds of good citizens, but the apprehension that a sufficiently strong combination of men who desired a non-partisan administration could not be effected, had heretofore prevented action. For years Tammany had retained its power by inducing its

opponents to run straight tickets, whereby the forces against them had been divided.

An anti-Tammany organization known as the Independent County Organization, was the first in the field in 1893 to urge united opposition to Tammany. They held a meeting on the evening of December 14th, in the large Hall of Cooper Union. Nothing could more clearly indicate that public sentiment was aroused in favor of reform than the fact that though a heavy snowstorm was raging in the city on that evening, at least 3,000 people attended that meeting. Mr. Thomas V. Van Buren was selected as chairman of the meeting and a large number of well-known people were chosen as vice-presidents. Among the latter were J. Cheever Goodwin, Clinton Wilmerding, William C. Whitney, Alfred Steckler, Ernest Harvier, Thomas Ellis Brown, Charles Steckler, Charles W. Clinton, Gilbert Livingston Beckman, Julius Harburger, Thomas Moran and John P. Smith. The principal speakers of the evening were Col. Alexander S. Bacon, Justice William G. McCrae, John D. Townsend and A. R. Conkling. That organization can fairly lay claim to having started the Reform movement of 1894.

The next to take the field was the New York State Democracy. On December 29th, 1893, the members of that organization publicly announced their intention to fight the Tammany machine. Their address was signed by the following gentlemen, among others: Abram S. Hewitt, William R. Grace, Joseph Laroque, Robert Graham Monroe, John Joralemon, Dr. Richard H. Derby, Francis Delafield, Robert Sturgis, Edward Cooper, Oswald Ottendorfer, Wheeler H. Peckham, Peter B. Olney, Amos F. Eno and Charles S. Fairchild.

On the 2d of December, 1893, another anti-Tammany organization, "The National Democracy," had its birth. Ex-Sheriff James O'Brien was its leader and among its members were John R. McNulty, Andrew D. Parker, ex-Alderman Michael Duffy, Timothy Shea, ex-Senator George Langbein, and Major Doherty.

On December 2d, the Young Men's Democratic Club of



the Ninth Assembly District announced its intention to oppose Tammany.

On December 9th, 1893, an important meeting of the German-American citizens was held at the Reform Club. It was called with a view of extending the plans of the German-American Reform Union, and resolutions were adopted calling upon the Germans to unite with all other nationalities against the irresponsible government of Tammany. Arthur Von Briesen presided at that meeting, and among those present were Carl Schurz, Edward Grosse, Gustav H. Schwab, G. F. Victor, Percival Knouth, Jacob B. Schiff, Carl Hauser, and Louis Windmuller.

On December 9th, 1893, the City Club, of which James C. Carter was President and Edward Kelly Secretary, gave public notice that it was engaged in establishing political clubs in the different Assembly districts to oppose Tammany, and that it was intended that the clubs should have a central organization and it was intended that such clubs would have a watchful eye on New York politics generally. Their aim was to furnish better municipal government.

On December 14th, 1893, the Union League Club took action at a largely attended meeting presided over by Gen. Horace Porter. The Committee of the Club on Political Reform reported resolutions which committed the club to earnest support with all other citizens in securing reform in our municipal affairs. Among those who spoke in favor of the resolutions were Charles Stewart Smith, Cephas Brainerd, C. C. Buel, Logan C. Murry and James A. Blanchard.

About this time the Vigilance League, under Dr. Parkhurst, which heretofore had devoted itself especially to unearthing police corruption, began more fully to realize that back of the Police Department stood Richard Croker and his confederates, and that they were really the parties responsible for the corruption that existed in this city, and the League thereafter united with the other organizations against Tammany methods.

On the 1st of January, 1894, there were six regular organizations in this city, differing as to names, but with



objects and purposes alike. They were all prepared to give battle to Tammany Hall at the next election. Besides the foregoing there were arrayed against Tammany Hall, the Real Estate Exchange, the Municipal Conference Committee which met in the Amity Building, the Chamber of Commerce, the Latin-Americans, besides others of less distinction.

The writer has no intention of pointing out in detail what was accomplished by these agencies separately. His purpose is to show, by a brief review of the reform movements adopted in 1894, how necessary it was for success that a union of all citizens opposed to Tammany should be effected if success was expected, and to contrast the results of that year with those of 1895.

As it was apparent that good judgment from a dispassionate source would be required in the formation of a fusion ticket that would be satisfactory to all interests which were opposed to Tammany, the aid of the Chamber of Commerce was sought, and about the 9th of August, 1894, the Chamber consented to act the part of harmonizer if its assistance was generally desired.

On the evening of August 14th, the German-American Reform Union met in Vienna Hall, and appointed a Conference Committee to meet with delegates from the other anti-Tammany organizations with a view to exchanging sentiments.

Other organizations soon adopted the same plan and on September 6th, 1894, representatives from all the organizations met at the Coleman House. The sentiment of antagonism to Tammany methods was universal. When the meeting broke up it was the general belief that nothing but work by practical politicians who were standing out for personal advantages could save Tammany from utter defeat at the coming election.

At the meeting referred to delegates from the following organizations were present:

Good Government Clubs.

Republican County Committee.

New York State Democracy.

Independent County Organization.

The National Democracy.

The German-American Reform Union.

Among other resolutions the following was unanimously adopted:

“That a harmonious union of these organizations in support of a non-partisan municipal ticket is the surest method of defeating Tammany Hall in the coming municipal election.”

At the instance of the Chamber of Commerce an anti-Tammany meeting was held in the Concert room of the Madison Square Garden on the evening of September 6th. Joseph Laroque presided. An address to the people was read and a resolution was adopted that a Committee of seventy citizens, including the chairman and secretary of that meeting, be appointed by the chair, with full power to confer with all anti-Tammany organizations and to take such other action as might be necessary to further the object of the meeting.

From that time on until election, the Committee of Seventy, the members of which were soon after selected, devoted itself to the advancement of the cause of reform. The greatest difficulty it encountered was in bringing the State Democracy and the Republicans into harmony upon the question of the ticket which should be adopted. At first it seemed almost an impossible task to accomplish; but after their partisan demands had been acceded to, and the ticket had been put in nomination, on the evening of October 9th, everything became harmonious, and never did men work harder or with more intelligent action from that time until election than did the opponents of Tammany Hall, and their efforts were rewarded by the election of their ticket by a plurality majority for it of more than 40,000. Tammany Hall had left to it, of public offices, only the County Clerk's office and the office of Register of Deeds. All the rest of the patronage from other offices passed into the hands of the reformers.

The victory was all that could be desired—greater than was thought to be possible.

Much was due to the firm stand taken by the Chamber of Commerce in the bringing about of that magnificent result. That organization unquestionably is the true representative of this city's greatness. No combination of men are so competent to speak as to its requirements. Throughout this country, even throughout the world, this Chamber stands in the light of trustee of our commercial strength. New York can safely at this time entrust to it the question as to what kind of municipal government would best sustain our standing before the world and advance our own interests, morally, socially and pecuniarily.

When our people generally were carried away with the victory, in the fall of 1894, and were forgetful of everything but the delights of the hour, the Chamber of Commerce, realizing from the experience of the past that if we wished to retain the power we had won it would be necessary to make examples of some of the public men who had so outrageously betrayed the interests of the city, passed the following resolution:

*“Resolved, That a Committee of five be appointed by the chair, to be known as the Committee on Municipal Reform, whose duty it shall be to inquire into and report at the next meeting, whether or not it is desirable that the powers of the Lexow Committee should be extended for twelve months from the 1st day of January next, with the duty to investigate any or all of the departments of the city, to the end, that men who have betrayed their official trusts and prostituted their offices for personal and private gains, may be punished for their crimes; that justice may be vindicated, and the fair fame of this city be redeemed from the humiliation and shame which have attached to its Government.”*

The Committee appointed under such resolution were:

John Harsen Rhodes,	Charles S. Smith,
J. Edward Simmons,	Gustav H. Schwab,
Abram C. Bernheim.	

On December 28th, 1894, this committee reported to the Chamber, as follows:

“In the judgment of the Committee but little argument is required to demonstrate the imperative need of a legislative investigation, broad enough to include all departments and searching enough to throw light upon every detail of the city’s administration. The public mind is imbued with the belief that many of the city departments are tainted with corruption—a belief which, in the opinion of your Committee, is fully justified by facts already proven. In the face of such assertions, if such a condition does not exist, we owe it to those having control of these departments to free them from general suspicion, and they themselves should welcome such investigation. If, on the other hand, the proofs of fraud are forthcoming, as it is believed they will be, under a competent and searching investigation, then the importance of such an inquiry cannot be overestimated.

“Your Committee believe that the time has arrived when the merchants of this city, and indeed, all honest citizens, must decide whether the city shall be thoroughly purged of the corruption that has been destroying its vitality, or submit to the consequences that must follow inaction, one of the results of which will be the surrender of our commercial supremacy.

“The credit of this City, the State and the Nation are suffering in the estimation of foreign investors by reason of the maladministration that has for a quarter of a century characterized the government of the metropolis of the United States. American honor is judged and scoffed at in the leading money markets of the world because of the revealed character of our municipal rulers.

“It remains with the members of this Chamber, and with all the good citizens of New York, to decide whether the present movement shall mark an epoch in history for thorough and permanent municipal reform, or shall result in transient and short-lived measures.

“Your Committee have therefore arrived at the conclusion:

"1st. That the Special Committee of the Senate, commonly called the Lexow Committee, should be continued until January 1st, 1896, and should be empowered to investigate any and all of the departments of this city.

"2d. That the powers now exercised by Courts of Record in compelling the attendance of witnesses and punishing for contempt should be conferred by statute upon this Committee.

"3d. That the Grand Jury now empanelled in the Court of Oyer and Terminer should be retained for the indictment and prosecution of public officers who have been guilty of corrupt misconduct in office.

"In support of this conclusion we present the following facts known to exist:

"During the last six years of Tammany administration, bonds have been issued to the amount of \$58,356,858, an excess of \$22,123,760 over the preceding six years. During the past six years also, the departmental appropriations have exceeded those of the preceding six years by \$15,495,397. Six years of Tammany administration have cost the city in bonded indebtedness and expenditures from appropriations \$274,671,076, as against \$6,000,000 per annum, exclusive of revenue and assessment bonds.

"The administration for the past two years is responsible for an expenditure of \$95,659,695, the largest sum ever expended by the city during the administration of any one Mayor.

"Various inferences may be drawn from these figures, but it is impossible to avoid the conclusion that an expenditure so largely out of proportion to the growth of the city, its public improvements, and the efficiency of its administration, is due to mismanagement, extravagance and corruption, on a scale almost unparalleled in the history of municipalities.

"It is evident that our half cleaned streets are paved and repaved at extravagant cost and in an inferior manner, as compared with similar work done in all the large cities of Europe; that they are made the storage places of carts and vehicles of all descriptions, and our sidewalks are encumbered with signs, awnings and stands, in viola-



tion of law and order. Our public markets are badly constructed, and some of them a disgrace to the city, and our building laws are violated, as will be testified to by reputable builders.

"It appears from testimony before the Lexow Committee, that what Mr. Goff has called 'constructive extortion,' or, in other words, forced contributions, from parties having contracts with the city government, is well-nigh universal.

"The jury lists have been tampered with, and the fountain head of civil and criminal justice has been polluted. Incompetent, unfit or dishonest persons have, in many instances, taken the place of intelligent, aggressive and honest citizens on the jury rolls, to subserve the corrupt and criminal ends of law-breakers.

"Public contracts are awarded to a few favored contractors, while, as a rule, the departments are filled with employees appointed at the dictation of political bosses, and of a class often ignorant of their duties and generally entirely unfit for their positions. Thousands of men are upon the pay rolls of the various departments, who practically do no work. For the sweeping and cleaning of the four municipal buildings in the City Hall Park, there were upon the pay rolls 108 persons, whose annual salaries amounted to \$51,500. Not one-half of those whose names appear on the pay roll are honestly employed at this work.

"Inspectors are appointed who do not inspect, or fail to report, violations of the law. 'Pulls' exist in all directions, through which the public are made to suffer in unjust assessments, while it is well known that one of the Commissioners of a city department recently resigned owing to the frauds which he claimed existed in his department, and which he was powerless to prevent. In fact, Ring rule and an utter disregard for public decency and private rights, prevail over all, and mark a condition of affairs both disreputable and bad to the core.

"All these facts, and many more, show that an investigation is needed.

"The disclosures connected with the Tweed régime in

this city many years ago resulted in the punishment of a few leaders, but practically left the methods under which that system of fraud was conceived untouched. This system, strengthened by removing the elements of weakness developed at that time, and confining itself largely to processes of blackmail, has slowly been perfected to such an extent that Tammany has felt itself to be in an impregnable position, both as to its ability to retain its power over the community, and to enable itself, no matter what disclosures might be made at any time as affecting any department, to prevent actual proof of fraud, corruption and stealing to be obtained.

“Your Committee believe that this structure, so carefully reared by the Tammany organization, is rotten from the foundation upward, and that public investigation thoroughly pursued will level it to the ground, and crime and its authors will stand revealed.

“It is the belief of your Committee that an examination by special Grand Juries will not alone answer the purpose. An investigation, to be effective, must be continuous and in the hands of a thoroughly competent counsel, able assistants, and a skilled detective force, equipped with a fund sufficient to make the investigation thorough in all its parts.

“The removal of the heads of departments to be replaced by better men will not suffice. Corruption has been so long enthroned in the municipal government of this city, that the most drastic measures will have to be used to eradicate the disease. Wholesale removals will not suffice, though necessary. Wholesale punishment must follow, until it has drawn into the meshes of the law, not only corrupt official, but corrupt contractor as well. Blackmail and bribery must stop, and every citizen must be made to feel that collusion with an official, to enable him to violate the law, is as odious in the public eye as the violation itself. In all of this work the Legislature should do its part. Municipal corruption in great cities is a standing menace to the State. The Legislature owes it to the city to do its part, and it owes it to itself the more that it should do its part.



"The cry of outraged justice and of righteous wrath is not confined to the merchants of this city, not to the dwellings of the rich and well-to-do, but its deepest tones are heard among the workingmen of New York, who have learned the fact that there is but little chance of justice for them in the lower order of the civil and criminal courts, where their cases are most apt to be tried; that the men appointed to preserve the peace, keep order and protect their homes have proved unfaithful to their trust, and they are now beginning to realize the truth of the fact that the burden of waste, corruption and extravagance in the general management of all departments of the city, has been placed upon their shoulders and is largely borne by them.

"The demand for public investigation is determined, and will not down until it is satisfied. It is said that the result at the polls in this city, at the late election, was a Republican victory. When the State is in peril every honest man lays aside his political preferences, and with others unites heart and soul to meet the common enemy. Never before in the history of this city has a more thoroughly non-partisan victory here been won.

"The members of this Chamber, as members, know no politics, but when the fair name of this great city was being attacked and dragged in the mire of corruption, and when they were satisfied that its municipal government was in the hands of men so corrupt as to imperil the welfare, the safety and prosperity of the commonwealth, they sprang with others to the rescue, and having 'put their hands to the plow' they will not turn back.

"Your Committee would therefore offer the following resolutions:

*Resolved*, That we recognize the value of the work already accomplished by the Lexow Committee, and tender our thanks to its members for the faithful and conscientious manner in which they have performed their duties.

*Resolved*, That the thanks of this Chamber are due and are hereby tendered to the Hon. John W. Goff, his corps of able assistants, and to those who, standing back of him, have aided in the furnishing of evidence, for the able

and effective manner in which such evidence has been prepared and laid before the public.

*Resolved*, That in the opinion of the Chamber of Commerce of the State of New York, the public welfare of this city imperatively demands that the powers and the duties of the Lexow Committee should be extended to one year from January 1st, 1895, with the obligation incumbent upon said Committee to investigate any or all of the departments of the city government.

*Resolved*, That the disclosures already made in connection with the Department of Police, demand such a reorganization of the department as will take it entirely out of the field of politics, reduce the salaries paid to a fair and proper level, restrict the granting of pensions only to those who, after long years of faithful service, or through injury received in discharge of duty, shall have become incapacitated for work, and remove from the force all incompetent, unfit, or dishonest members.

*Resolved*, That the foregoing report and these resolutions be printed and presented officially, to the Senate and Assembly, and that copies of the same be sent to the Governor, the Lieutenant-Governor, the Secretary of State, the Comptroller, the Treasurer, to each member of the Legislature and to the press throughout the State."

This report was unanimously adopted by the Chamber, on January 3d, 1895, and a copy of it was sent to Lieutenant-Governor Saxton, in the Senate, a copy to Speaker Fish, in the Assembly, and copies were sent to every member of the Legislature, as well as to the press throughout the State. The Chamber of Commerce has done its duty to the people; the Legislature has not. When the people properly dispose of the Mephistopheles of the Republican party the integrity of that organization will again become apparent.

## CHAPTER XXIX.

1895.

It requires firm belief in the Christian theory that all things work for the best, to repress a wish that more of the fools and knaves in New York had been exterminated before the year 1895 had been ushered in. It ought to have been apparent to every one that an organization that could control the immense vote that was cast by Tammany in 1894, despite all the clamor raised against its methods, would not yield on its first defeat.

In fact early in the year 1895 Tammany proclaimed its intention at the coming election to redeem itself. With Reform victory, came apathy. While Tammany was working, Reform was sleeping. Reformers imagined, if they thought at all, that the loss of patronage would so weaken Tammany that its followers would lose heart and cast their lot with the victors; but they failed to consider that such followers would have but little chance in Reform ranks, and that their only hope for political resuscitation would be to remain in Tammany Hall.

But whatever may have been their reflections on the matter they did nothing to meet the impending blow that had been threatened. The different organizations of men who 1894 had marched together so harmoniously seemed to have scattered in 1895 and each for itself had commenced to lay out plans for the future. In fact, the strength which came from victory, together with the immense power conferred upon our Mayor by the Legisla-

ture, seemed to have bred in reformers a confidence in their own strength utterly out of proportion. They were actually weak because in certain ways they had become strong.

When Mr. Strong took his seat as the Chief Magistrate of this City, he had the good wishes of all good men. It was well understood that he had no experience in the management of municipal affairs, but the people knew him to be a good business man and believed him to be honest in his desire to give to the city a clean non-partisan administration.

His friends realized that at first his duties would be onerous, and that "practical" politicians would strive to rule or ruin him. Such friends stood ready to sustain him whenever and wherever he needed their support.

Even before it was determined of what sort of mettle he was made, and before it became apparent that he would not be beguiled by the blandishments of political leaders, the Legislature granted to Mr. Strong more power than the Tweed Charter granted to Mayor Hall in 1871.

He was given power to remove the heads of all departments and to replace them with men of his own choosing. In fact he was endowed with almost autocratic powers. Under that authority he in the main acted with discretion. It would have been impossible to have made better appointments than those of Roosevelt and Waring, and generally the officials he designated met with public approval, and they were really so far beyond the class of men that were removed that comparison would be impossible.

But Mayor Strong was expected to do more than make appointments. Any man of good judgment might have accomplished as much. He was believed, however, to be a man who would not be satisfied with simply weakening the power of Tammany Hall; he was a man who had grit and determination enough to destroy its methods forever.

The people who supported Strong in 1894 desired the annihilation of Tammany under its present leaders, and they hoped to see the thieves, who had been fattening on

the city so long, compelled to disgorge and be punished. In this respect Mr. Strong showed himself to be much like Mayor Havemeyer, of olden days; he did not fully answer the expectations of the public.

If the Legislature would not send a Committee to examine the different departments of the city government, as requested by the Chamber of Commerce, it did authorize the expenditure by Mr. Strong of \$100,000 for such purposes and it gave extraordinary powers to his Board of Examiners.

Every magistrate in the city was a man of Mr. Strong's appointment and naturally might have been expected to aid in enforcing punishment upon Tammany miscreants. Nothing of any moment was effected by the examiners or the magistrates in that way, and as in the days of the Tweed Ring, no one was punished.

It cannot be said that it was owing simply to the natural apathy of our people that in one year turned a victory of 40,000 majority into a defeat of 17,000.

Had Tammany been successful in 1894 not a man who voted the fusion ticket would have held an office under its control. Not a man who supported the Tammany ticket in 1894, who could have been removed, should have held office a day after Mr. Strong's appointees had been sworn into office.

If Mr. Strong desired to leave behind him a name which would be respected and honored for all time, he should have taken a more decided stand against the corruptions of the past. If he ignored them, he could not but expect to hear of corruption among his own associates, who would learn, as others did, that there was no danger to a public official in being dishonest.

For a long time the press had suggested that Departments under Tammany administration were honeycombed with fraud, and have over and over again described matters that required investigation. If there is no truth in such statements it is but justice that they should have been withdrawn; but if there be reason to believe there was truth in them satisfactory examinations should have been made, and if proved to be true, the guilty should be pun-

ished, and let it be understood, even at this late day, that a method had been adopted that will prevent frauds of the same kind in the future.

Let the probe be inserted in the following departments and offices:

The Department of Public Works, since Gilroy was appointed in 1889, as to asphalt contracts and street paving generally.

The Department of Parks as far back, if possible, as when Andrew H. Green was Treasurer of that department.

The Building Department during the last ten years.

The Comptroller's office since Richard B. Connolly resigned in favor of Andrew H. Green.

The School Department since Grant was elected Mayor.

The Street Department for the last fifteen years.

The Coroner's office for years.

The office of the Counsel for the Corporation for the last ten years.

Also let inquiry be made as to matters connected with:  
Street Openings.

Harlem Speedway.

The East River Bridge.

The Mulberry Bend.

The Huckleberry Road.

Alms House abuses for years.

Let there be a continuance of the examination into the abuses growing out of police corruption, and an investigation to determine how Tammany officials have obtained their great wealth.

If a desire to effect the objects suggested, had been made manifest by Mayor Strong, he would have had plenty of men who would willingly have aided him and who, if necessary would have given their time gratuitously toward such a worthy object, but he should have manifested more anxiety on the subject to have induced action.

When people become dispirited about a matter upon which they have set their hearts, they naturally lose interest in everything connected therewith.



To a considerable extent this may account for the miserable showing which Reform made at the polls in 1895. Yet the mistakes of that campaign cannot altogether be laid at the door of Mayor Strong or to the apathy of the people. Egregious folly on the part of men who should be better informed, had a large share in producing that defeat. The lesson which had been taught in 1894, that in union there is strength, was entirely forgotten. Organizations that had done much to effect the victory in 1894 were absolutely ignored by more pretentious combinations, and many Germans sold their rights of citizenship for less than a mess of pottage.

Gentlemen who wished to head a party which should have its formation in purity and were willing to wait for its fruition for some other year (even at the expense of Tammany's gain), were the first disturbers of the harmony of the previous year, and they so directed the reform movement that the choice between the devil and the deep sea lay in making a selection between Tammany and a fusion ticket made up of so-called Republicans and State Democrats. It ought to be known by this time that nothing short of a combination of all men opposed to Tammany's present methods can possibly succeed against Tammany Hall.



SPEECH DELIVERED BY HON. JOHN D. TOWNSEND AT A MASS MEETING HELD AT COOPER INSTITUTE IN 1893.

CITIZENS:

You say, in the resolutions which you have adopted this evening, that the "Independent County Organization" has for its *only* object the establishment of an impartial, economic and honest government. No one can find fault with such an object, and if we are honest in what we say and do, and there is good reason to find fault with the present system of government, all honest men must be with us. When it is considered that it is but a few weeks since that a few of the organizers of this movement met together and concluded that the destruction of the power and methods of Tammany Hall in this city was the only way to give permanent good government to the city and ultimately to the State, it is a matter of great satisfaction that their views meet such ready accord with the public. This movement has no partisan aims. No great names are connected with it. It is essentially a movement by and for the people. It is not exclusive for it extends its arms to all citizens who, regardless of every other issue, will join it in its efforts to dethrone the Tammany king and destroy his methods. It is the intention of this organization to remain in the field until it has accomplished its purpose. No great man either in Washington or Albany, or the representatives of any such man, will have influence, either now or at any other time, to draw us away from the obligations that we have assumed. No suggestion that this year is not a good one, or that the best in-

terests of one political party or the other require us to withdraw, will have any weight with us. We believe that the destruction of Tammany Hall is required now. We will be allies with any and everybody who feels as we do, and who has the same ends in view that we have. We ask not to be leaders or controllers of this movement, but we will sit as Paul did at the feet of Gamaliel and be guided by any one who can show us the best way of extirpating that Upas Tree which lives only to poison and destroy our manhood.

Almost every year some movement is started by politicians, which, in the beginning, gives great promise of reform and good government; but, when election times approach, their followers are informed that the time is inopportune—that the movement will interfere with some great national or State movement—in other words, that such movement will interfere with the aims of some great man. Then the cause, which, perhaps, has had the best wishes of good citizens, falls to the ground, only to be erected in the following year in the same way and by the same men. By such actions as these Tammany Hall each year strengthens itself; each year it is called upon to test its strength; each year it reviews its cohorts and burnishes its arms. Such actions have the effect of clipping only the dead leaves and branches from the tree, and it comes out each year fresher than the year before.

It is our belief that the destruction of the power of Tammany Hall in this city is quite as much as should be undertaken this year, but we would not have it understood that we would throw a chill upon any movement which can aid our great purpose, even indirectly. As our resolution says, we welcome all citizens regardless of color, creed or political affiliation. We welcome them as brothers in this great work and, unless people are so tied down to party that they have become blind to the best interests of our city, we feel that all citizens must see that we are justified in the movement we have undertaken.

Before I close to-night I intend to recall to your minds matters which are of daily occurrence, and which the

press has frequently called your attention to, but which in the excitement of life you seem to have lost sight of. This is not the time for fine speeches; it is the time for work—hard and unceasing work. I did not come here to-night with any intention of making a speech to you; I came here to talk with you as one citizen talks with another. I came to warn you that if you let this year go by as you have many that have preceded it, you will find that your fetters cannot so readily be removed hereafter. Now is the time for the fight. The rumbling noise of combat is heard from the shores of Lake Erie to the easternmost extremity of this State. The Davids are striking the Goliath in Erie, and we have just witnessed the downfall of a ring in Brooklyn which was considered invulnerable; and all that was done by a small band of honest citizens. Dr. Parkhurst, with his little band in behalf of morality, is scattering the hosts of that branch of Tammany Hall known as the Police Department. The Republican party is engaged in cleaning its political house, and it is driving into the Tammany sheepfold the creatures who have betrayed them, and who, long since, should have been openly fighting under the banners of Tammany Hall.

In former times Tweed won some of his greatest victories by the aid and assistance given him by just such pretended Republicans, with Henry Smith, a Republican Commissioner of Police, at their head. If all honest citizens will band together with the sole purpose of effecting the downfall of Tammany Hall, we must be successful this year, but to say that we must lay aside all jealousies and all bickering. It will be time enough when we accomplish this purpose to take care of individual interests. The foe we have to meet is absolutely unscrupulous. They have not only the loss of great power to dread, but they will fight to protect the enormous wealth which they have accumulated within the last few years. These men are what are left of the Tweed Ring. They have a perfect knowledge of the practices which existed under Tweed, and they have greatly improved upon his methods. We must expect to take blows and we must give them, and it

will not do for us to be particular in the manner in which we deal them. If you fail now you will be in greater bondage than ever before. If your house is on fire and you put it out, no matter how much more valuable property may be destroyed by the water, this you do to prevent more extended conflagration. If you find thieves in your house you drive them away at the point of the pistol. Would you do less in the protection of this beloved city, where all your happiness and the happiness of your families is bound up? Over a hundred years ago our forefathers drove from these shores a hostile foe, and then proclaimed the independence of our country. They drove away an open foe, and one worthy of their steel. To-day, so far as the city is concerned, that independence which was gained has been stolen from us, as we slept, by a band of freebooters. They have been allowed to concentrate their forces and to select their leader, and now that we are awaking from our lethargy we find ourselves bound hand and foot, and all the freedom that we now have is exercised under the will and by the direction of that leader. Citizens! the awakening of a great people has before this brought confusion to thieves. Many of you who are now present can recall the days of Tweed and his gang. For years they crept along slowly into power, but at no time did their chief claim one-half the power which is exercised by this leader. Tweed controlled judges; this man owns them. Tweed gave these men who represented him in the Legislature and in the different departments of this city a chance to make what they then called an honest dollar for themselves. This leader claims it all for himself and those within his immediate ring circle. Tweed, although a public foe, had many personal friends who adhered to him through all his troubles; and that was because he was unselfish. This leader when he falls, as fall he must, will go down to his death unmourned. It was at the very height of Tweed's success that his knell was rung, and instantly the magnificent fabric which he had erected fell like a house of cards. One flash of light thrown upon him and his gang by the press of this city paralyzed them. The whole pack sought safety in flight. Tweed died at

last in prison—Connolly fled to and died in a foreign country, and Sweeney and Hall are still here, but none are so poor as to do them homage.

Croker and his associates will fall from different causes. Their selfishness and cupidity, and the efforts which they make to ape aristocracy, are the weak spots in their armor. Let it be shown in this contest that we have an even chance for success, and the real rottenness within Tammany Hall will become apparent.

Hosts of men who now train under the banner of Tammany Hall through fear would gladly be released from the galling chains which bind them. The policemen in this city, as a class, hate the conditions under which they exist. Changed from one department to another, week after week, they feel that they have no homes, and they can see no opportunity for advancement, and they hate the kinds of business they are called upon to do at the caprice of the Commissioners, who are under Croker's control. The firemen of this city, a set of men which any city in the world might be proud of, can see they are not appreciated by Croker. These men who daily risked their lives for us last winter asked for a small advance in their pay, but the bill was defeated by the orders of Croker. Do you believe that they love such protection as that? In the preamble and the resolutions which you have adopted to-night you suggest an investigation of the Departments in this city by the next Legislature. It is to be hoped that such action will be taken, and that it will be controlled by a man with the strength of Fassett and directed by a man as unyielding as Ivins. But let us pray that among the first actions taken will be one looking to a divorce of local from State and national politics. If a committee is sent here, let its probe go deeper even than it did when the last Senate Committee came here. Let the investigation go to the finding out how men engaged at moderate salaries by the city can become immensely wealthy in a few years. Why should we not be permitted to demand from our public servants the same kind of accounting that we require from clerks in our private business? If you hire clerks you expect their whole time to be de-



voted to your business. Stealing the time they owe to you is as bad as stealing your money. If you give your clerk a salary of \$1,000 a year and you find him spending \$5,000 you naturally inquire how he manages to do it. If he tells you he has received a legacy, or that he has real estate that has increased in value, or that by good fortune he has made a good investment, you may believe him and be willing to retain him in your employ, but if you discover that all your clerks are living far beyond the amount of salary you pay them, that they own fine horses and yachts and live in splendid houses and they all come to you with the same story as the first one did you naturally believe they are lying and that you are being swindled. You make inquiries first as to their ancestors, and if you find that they had nothing until they came into your employ you naturally conclude that it is time for you to investigate. You go through your books. If you are doing business with foreign countries, you examine the custom-house branch, and so you go carefully through with the different branches of your business. Now, why should there not be a full and vigorous examination of these Ring men. Thirty years ago their names did not appear on the City Directory. They were men of no social standing or pecuniary responsibility, and now they are rolling in wealth. For thirty years most of them have been fed in at the public crib, and we know what salaries they have received. When the Fassett Committee was sitting in this city, not more than three or four years ago, Mayor Grant, who was then the most intimate with Croker, made affidavit before the Committee that Croker was a very poor man with a large family, and to-day he is said to be worth more than a million dollars in real and personal property. He keeps a retinue of servants from office holders down to heelers, and all are ready to do his bidding. He makes his appointments of these retainers, not from the merit which they have shown for the position they are to occupy, but for two reasons—the amount of money they are willing to pay for the position, and, second, the amount of assurance they are willing to give that they will be his slaves. No man who has established himself as a thor-

oughly good and efficient officer is considered by this boss to be safe to hold public office under him. The best Comptroller this city has had for years was this fall refused a nomination by the boss for the simple reason that he had held the position for two terms, and yet the boss and his Ring have lived upon the public for thirty years. Comptroller Myers was refused an office solely because he stood as a bulwark against knavery, and he was in their way; and so it has been with all persons who have stood in their way. Citizens! think for a moment of this great city, the first city on this continent, containing probably as much intelligence as any city in the world, being governed by such a class of people as we must now confess to be our rulers. The present Mayor, though perhaps the ablest of the ring, started as secretary to Harry Genet, one of the Tweed ring. James Martin, the present Police Commissioner and one of the immediate ring, was a car-driver on the Third Avenue Railroad but comparatively a short time ago, and ever since he left that employment has held public office and been fed by us. Corporation Clark but a comparatively few years ago would have been glad to have received a dollar for serving a law paper. Advancing from a clerkship in Mr. Cockran's office to a partnership, and as Mr. Cockran's representative in the Sheriff's office he stepped into the position of Corporation Counsel and is one of the few in the interior ring with Croker. Croker himself was known in his earlier days as a leader of what was known as the Harlem Tunnel Gang and had a dive on Fourth Avenue, between Twenty-seventh and Twenty-eighth Streets. He held the office of Coroner for two terms; afterwards was Assistant Alderman; then as Alderman; then a Fire Commissioner, and then as City Chamberlain, now as Boss. I mention these things in order that you may see what their opportunities have been to amass such fortunes. Most of them have been in public service for all the years I have referred.

It is said, and has never been disputed, as I know of, that Croker is worth more than a million dollars. Three years ago Grant said that he was very poor; now he has just built a palace, and furnished it as a monarch might.



He owned a house at Mt. Morris which would have satisfied the most of men in the way of a mansion, but not this man. He is the owner of horses which are worth, as reported, a hundred thousand dollars; he owns stock farms, and is interested in racing stables, and his horses and equipages are more magnificent than were thought of in the days of Tweed. Mr. Clark, the Corporation Counsel, is also a very wealthy man; he has a stable so magnificent in its furnishings that almost any one would be glad to own it as a dwelling place; and so it is with all these people in the inner ring, but when you leave the upper circle of magnificence, gradually, as the circles enlarge, the wealth decreases until you come to the outer edge of it; there poverty abounds. It is this immense wealth among the leaders of Tammany, so visible to the eye of the humbler followers of Croker, that will mainly cause his downfall. The power of this man is felt through all the grades of society in our city; although his hand itself may not be apparent, yet we know where to find the power which starts the engine. Let me illustrate what I say: Take an immigrant who leaves his home with his little family in the hope of obtaining a freedom which has long been dreamed of. He has heard of the Stars and Stripes and the protection which it affords. Coming up our harbor he watches with delight everything he sees, and it is only when he lands in this city that he finds the first evidence of his mistake. He is ignorant, perhaps, of our language. A man seizes his baggage and tells him to follow. He takes him to a house of which he knows nothing, and in which not a word of his own language is spoken. He takes from him for such service, and out of his little store, so much money that the man thinks that he must have been wronged. The stranger appeals to some friend in the street who can talk his own language, and makes his complaint. He is told that he must be careful and not trouble that man, as he is a Tammany leader. Perhaps the house to which he is taken is kept by a man on the General Committee of Tammany Hall, and he, perhaps, is so avaricious and greedy that he seizes upon what little he has left, and perhaps puts him into the

street. He complains again to a friend, and he is told he must not have trouble with that man, because he is on the General Committee of Tammany Hall. If the stranger is a man of will and determination he demands to see a magistrate, and he is taken to one and he makes his complaint. His landlord appears, and probably the stranger will see the landlord chatting familiarly with the magistrate on the bench, and soon his complaint is dismissed. Upon inquiry he is informed that the Judge is a Tammany Judge. If the poor man has enough money to buy a small cart and stock it with fruit, he soon finds that before his cart can stand against the curb he must have seen the ward detective, who collects the license fee for that branch of the Tammany business. If he pays the assessment made upon him, then he is permitted to move from place to place, from one side of the sidewalk to the other, until he meets the policeman, who will not interfere if he can eat what fruit he chooses from the stand.

Take the higher grade of dealers, you will ask how they are bled. If the snow falls and he cannot get rid of it before the inspector from the Department gets around, he must make arrangements with the inspector, or complaint will be made to the Corporation Counsel and charges will be instituted against him and he be compelled to go to court for breaking a city ordinance. So it is in regard to charges of obstructing the sidewalk. All these things can be avoided. The man who is charged with these acts by the officer calls upon his neighbor who is constantly doing the same thing with apparent impunity, and has a talk with him, and when the inspector again calls, there is no trouble thereafter.

Nothing escapes the avarice and cupidity of the gang which now controls this city, and everything from a peanut stand to a gambling house and house of ill fame, has to pay for protection. These things are attended to by the subordinates of the ring, and all the stealings they can get are gotten in that way. When you come to great corporations which require protection at the hands of the Aldermen or in the Legislature, that branch is disposed of by Croker himself at the palace on Fourteenth Street.

In former times, when Tweed ruled the city, and in the earlier days of Croker's rule, members of the Legislature could sometimes make money for themselves while at Albany by the introduction of and the opposing passing of bills. The ignorant public might believe that Croker had made a change in this respect on behalf of reform, but let us see: Every man who goes to the Legislature now is obliged to vote on each, any and every bill which goes up from this city as Croker says he shall. Formerly he would return home with a little money in his pocket and perhaps a little jewelry on his person, but now he must be satisfied with the salary he draws and the honor he gets. All bills of any importance are handled, and arrangements made by Croker in Fourteenth Street. If any corporation wishes a bill presented to increase their power, or to curtail the power of others, such bill and the terms must be rendered satisfactory to Croker. It was only this last year that a bill was introduced to increase the salary of the firemen of this city. One member from this city, when the bill came before the Assembly, voted "aye," and the Speaker struck his gavel instantly, and the clerk was instructed to call the gentleman's name again. Again the name was called, and the gentleman again responded "aye," and down came the gavel more than once, and with stronger force, and the clerk was again required to call the gentleman's name. The surroundings were too much for the member, and he answered "no." That gentleman was not renominated for the Legislature.

You all remember the excitement which for several years has grown out of the avarice displayed by the telephone company. Bills have been introduced, petitions signed by thousands have gone before the Legislature asking that the enormous charges made by that company be reduced. That bill with the petitions was sent by the Tammany speaker to the committee over which the representative from Mr. Croker's own district presided. It was never reported. The result is that thousands of citizens are being defrauded out of their just rights and one enormous organization alone is benefited. No, not the only one. The chairman of the committee who held the

bill and prevented it from going before the Legislature received the nomination, on his return from Albany, for Civil Justice. That is one of the things which I would suggest that the Committee of the Legislature should inquire into.

Nothing could have been so gratifying to the citizens of this city than what has been done within the last year in the way of giving us good pavements. You hear it spoken of by everybody, what great improvements have been made in such particular. You will notice that a very large proportion of the streets are now being paved with asphalt. I would suggest that the next Legislature examine into the contracts made by the city with a certain Asphalt Company—I believe it is called the Barber Asphalt Company—and inquire whether Mr. Croker and Mr. Gilroy are large owners of it.

Let such committee inquire also as to how the Broadway Cable Railroad Company came to meet with so little opposition when started. You will remember it, the laying of that road caused the upheaval and obstruction of travel on Broadway for a great many months. You would suppose that the great storekeepers and others on the line of Broadway would have been consulted in regard to the propriety of laying it? Not so; let the legislative committee, if one comes here to examine, take up that subject. Let it ask whether, on November 12th, 1889, the Tammany Aldermen were directed to go to the office of Mr. Croker, who was then City Chamberlain, and let them inquire what instructions they each received when they called there. Let them be asked what induced them, on that same day, to act so differently from the manner in which they were accustomed to act, even though an application for an appointment of a Commissioner of Deeds came before them. Let them be asked if it has not been customary to refer even an application for the office of a Commissioner of Deeds to a committee and have them report upon it at a later day. Ask them why, then, on that same day when they called on Mr. Croker, *they introduced a resolution and passed it the same day* allowing the Philadelphia syndicate to lay the cable on Broad-

way. Let them call the members of the Board of Estimate and Apportionment, and ask them why they consented to such act without more inquiry, and let them inquire why Mayor Grant on the very next day after the passage of the resolution signed it. Members of the Board of Apportionment will tell you that when it came before them that the Philadelphia company promised in writing to pay the sum of \$150,000 a year for the right, and they will tell you that not one dollar of that money has ever been paid by them nor collected by the Corporation Counsel. While the Committee are inquiring, let them also seek information in regard to the East River Bridge which Croker and his associates and a ring on Long Island tried to have passed through the Legislature without giving to the city a single dollar for such enormous franchise. If they will inquire closely they will find that it was only after repeated letters sent to the Legislature by Comptroller Myers that a single dollar was inserted in the bill as payment for the franchise, and they will see that with all the zeal, care and assiduity of the Comptroller he could only manage to have inserted in the bill that *one per cent.* of the *gross receipts* should be paid for it; and it was with the greatest effort he prevented the Legislature from passing the bill containing a release from taxation upon all the surroundings of travel leading to the bridge. Such Committee also take up for examination a bill known as the "Huckleberry Bill."

The leaders of Tammany Hall and friends outside of the city bought up a small road in the annexed portion of this city and had it amended by the Legislature so as to permit them to lay rails and tracks and run railroads all through the Annexed District and elsewhere. The Cantor Act made it necessary that all franchises should be put up at public auction. To accomplish this the Cantor Bill had to be amended so that the franchise need not be put up at public auction. That act was amended so as to permit these people to cover the whole Annexed District. This grant, to the people who obtained it, is worth millions, and would, if sold in the City of New York, probably be worth millions to the city. Again, Comptroller



Myers stood by manfully against this outrage, but was unable to check it. Time will not permit further review of these acts.

If the Legislature will send to this city an investigating committee which means business, there would be no trouble whatever in opening up to them a field which will surprise the community.

I have shown you how great and how powerful Croker is. Have no apprehension on that score. Men who engage in such kind of business fear the light of public opinion. I have not spoken, nor do I speak of the followers in the ring. To a large extent they are most disreputable people. We all know that there must be organizations, and we generally find that the henchmen reflect the character of its leaders. The followers of Tammany Hall are no better and no worse than the followers of such kinds of organizations always have been, but I tell you, citizens, there is a growing feeling of disgust toward these leaders, which, if we take advantage of, will surely cause their downfall.

January, 1894.

### ON ASPHALT PAVING IN NEW YORK CITY.

IT has been the hope of independent voters that a committee of the Legislature would be sent here this winter to investigate the business methods of Tammany Hall. The Independent County Organization has hoped to be of service in this investigation, but, as there now appears to be doubt whether or not it will be made, the members of that organization consider it their duty to at least keep the people informed of affairs in order that the latter may not be misled in their actions by partisan politics. I have been directed to address the public at this time, for the further reason that it has been announced that the Legislature is to be requested by Tammany to permit them to continue to tax our citizens \$2,000,000, annually, for asphalt pavements.

The Independent County Organization believes it would be untrue to the principles it has adopted if it did not at once lay before the public, and thus cause to be brought to the attention of the Legislature, the reckless manner in which the Department of Public Works has handled the moneys set aside for paving the streets of this city. If the Legislature considers it unnecessary at this time to investigate the different departments of the city government, it is sincerely to be hoped it will not extend any further power, or give additional privileges to our present rulers. The man under whose administration the Department of Public Works in this city reached its present



deplorable condition is now Mayor, and it would be too much to expect him to remove the present Commissioner of that department who is his own appointee, and who is said to be a mere puppet in his hands.

There is no reason why this city should not be governed upon strictly business principles; but, since the advent of the present Tammany Ring into the Department of Public Works, in 1889, all honest competition for asphalt paving work has been cut off, the Barber Asphalt Paving Company has had full swing, and the City of New York has been the loser by many hundreds of thousands of dollars.

I am credibly informed that, within the past two years, the Barber Asphalt Paving Company, which originally was a corporation of large proportions, has increased its capital stock one million dollars. If the controlling power which that company has obtained in this city was brought about by collusion between men who rule New York and the Barber Company, then such increase of stock is explainable. Although we are not without further proof that a conspiracy has existed, the words and acts of persons presumably interested in the subject should be accepted as having weight. I copy the following extract from a newspaper published in this city on the 25th of December last:

“The combination in the Board of Aldermen against asphalt pavements seems to have been broken. To-day the Board passed unanimously a resolution to pave with asphalt Ninety-fourth Street from Amsterdam Avenue to West End Avenue. The Aldermen, it is said, acted under orders from Fourteenth Street, the kickers having been threatened with retirement next fall in case they persisted in their refusal to vote for asphalt pavements.”

In his recent message, the Mayor undertakes to sustain the prices he has paid for asphalt pavements in this city by contrasting them with Paris. He is aware that Paris is laid to a great extent with rock asphalt, which is a commodity that has been zealously excluded from this city by the Department of Public Works as a paving material.

It will be interesting to know why he does not strike nearer home. Why not contrast them with the prices paid in Utica, Buffalo, Minneapolis, St. Paul, Washington, Toronto and other places? Do such contrasts frighten him? What did he say to the *Evening Post* about December 25th, that the expense of laying asphalt pavements in the City of New York was from \$1.70 to \$1.80 per square yard? Was it because he knew that was about the price it should cost? That interview appeared under a headline of "Aldermen and Asphalt." Before the public discussed his connection as Commissioner of Public Works it was safe to make that statement, and, from his point of view, it was wise. In his recent message he contradicts his former statement and says the cost of paving is \$3.85 per yard. Has that contradiction been induced by the recent investigations of the subject in the Controller's office?

#### HOW THE CITY HAS BEEN INJURED.

Before explaining how the combination with the Barber Asphalt Company was formed, I will briefly illustrate what injury the people of this city have sustained in consequence of it. To show the price at which pavements could be laid, even in this city, where extortions are generally practiced, I would mention that bids were often made at \$3.10, and even at \$2.90 per square yard during the year 1890. These were principally made by the "Sicilian" and "Warren Sharf & Company" paving companies, before they were gobbled up by the Barber combination. Since then, although the former company has, for the sake of appearances, been constantly bidding against the Barber Company, and for more than a year has been about the only one to do so, yet the charges made by both have been almost the same, thus making it appear that the prices paid were the best that could be obtained. For example, when on March 31st, 1892, calls for proposals were made for paving, with asphalt, Eldridge, Ludlow and Houston Streets, the Barber Company bid \$4.74 per square yard, and the Sicilian \$4.94. Of course

the Barber Company, of which the Sicilian was a part, secured the award. This was comparatively a small job, however, for which the city became indebted for only \$98,085. From papers I have obtained from the Comptroller's office it appears that on April 6th, 1891, the paving with asphalt of Broadway, Fifth Avenue, Mt. Morris Avenue, Sixteenth, Twentieth and Twenty-first Streets, and Gramercy Park was awarded to the Barber Company (there being no competition) at \$3.69<sup>52</sup>/<sub>100</sub> per square yard. This job amounted to \$213,547. Possibly to make amends to the Sicilian Company, the paving of Madison Avenue with asphalt, was on the same day awarded to that company on their bid of \$4.69<sup>50</sup>/<sub>100</sub>, their associate, the Barber Company bidding \$4.79<sup>50</sup>/<sub>100</sub>. That contract cost the city \$23,984.50.

#### PRICES THE CITY HAS BEEN PAYING FOR ASPHALT PAVEMENT.

I have now in my possession a very full set of papers which I obtained from the Comptroller's office, containing the names of the bidders, and the prices offered and accepted upon most of the contracts made through the Department of Public Works for paving the streets with asphalt between 1889 and 1894, and I estimate that the average price per square yard that the Commissioner of the Department of Public Works has agreed to pay has been \$3.60 to \$3.75. The highest bids accepted for the laying of asphalt pavements in this city, per square yard, since 1889 are:

1890, Barber Co., \$4.95. Laying Fifteenth, Seventeenth, Forty-fifth and Fifty-third Streets.

1891, Sicilian Co., \$4.69  $\frac{5.0}{100}$ . Laying Madison Avenue.

1892, Barber Co., \$4.74. Laying Ludlow, Eldridge and Houston Streets.

1893, Barber Co., \$4.25. Laying Stanton, Columbia and Second Streets.

To show the extent to which this business has been con-

ducted in this city since 1886, I give the amounts of the contracts made by the Commissioner of Public Works, as received by me from the Comptroller's Office, and I mention the names of the contractors also.

1887	With the Barber Asphalt Paving Co. . .	\$ 9,812.66
1888	“ “ “ “ “ “ ..	39,687.21
1889	“ “ “ “ “ “ ..	28,317.20
1890	“ “ “ “ “ “ ..	119,192.61
1891	“ “ “ “ “ “ ..	226,684.17
1892	“ “ “ “ “ “ ..	384,533.57
1893	“ “ “ “ “ “ ..	460,923.25

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\$1,269,150.67

1890	With Sicilian Co. ....	\$106,926.09
1891	“ “ “ ..	99,279.29
1892	“ “ “ ..	119,904.79
1893	“ “ “ ..	115,841.30

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\$481,951.47

1890	With Matt. Taylor Paving Co. ....	\$89,456.80
1891	“ “ “ “ “ ..	23,912.43

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\$113,369.43

These contracts have been met as follows:

1st.	By appropriations. ....	\$324,212.31
2d.	By bonds of the city. ....	1,540,313.26

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Total. .... \$1,864,525.57

According to a business handbook issued in 1893 by the Barber Asphalt Paving Company, that corporation claims to have laid in this city, since the beginning of 1887, 406,-105 square yards of asphalt pavement.

HOW MUCH THE CITY SHOULD HAVE PAID FOR ASPHALT PAVEMENT.

We now come to the question of how much the city should have paid for each square yard of such pavements.

A distinguished expert in the laying of asphalt pavements has just furnished a full statement of facts on this subject. The New York and Trinidad Asphalt Company, of which he was president, was the exclusive importer of the Trinidad Pitch "Lake" asphalt between 1873 and 1878. This "Lake" asphalt is the material used by the Barber Company in paving the streets of this city, and the ingredients employed in making the cement are the same that were used by the expert referred to in paving Fifth Avenue between Twenty-fourth and Twenty-fifth Streets. This gentleman also obtained the contract for laying Pennsylvania Avenue, in Washington, D. C., from the Treasury Building to Sixth Street. He began this work in the fall of 1876, and finished it in June, 1877.

I give particular importance to this gentleman's statement, which was made under oath, for the reason that he is entirely familiar with the same asphalt used by the Barber Company, the cost of refining it, the component parts used to make the cement, the manner of laying and the cost of labor. As an expert, he said he had kept himself familiar with the prices up to the present time. He said that in 1878 the Lake asphalt could be delivered here free on board for \$6 per ton at that time; after it was refined, it was worth about \$17.50 per ton. An export duty of 40 per cent. had to be paid to the Colonial Government at Trinidad. Since then he states the expense of refining the crude material has been greatly reduced.

The proportions used in preparing the asphalt for paving purposes, this gentleman says, are 81.25 sand, 12.50 asphaltic cement and 6.25 carbonate of lime, and that only thirty pounds of asphaltum are used in the construction of a square yard of pavement.

The same gentleman said that he estimated the cost of labor when he was paving Pennsylvania Avenue in 1877,

and it amounted to five cents and six mills per square yard.

On being called upon to estimate the cost per annum of keeping in repair a well-laid pavement, he said it would not exceed from one to two cents a square yard.

Contracts made between the City of Buffalo and the Barber Asphalt Company were produced, and he was asked as an expert to say what profit the company made out of them, over and above all expenses. He replied, "\$1,233,-784.25 net profit." When asked what was the actual cost of such pavements as the Barber Company laid, he answered, "Never more than \$1.50, and they have been laid as low as \$1.30." This is interesting, in view of the fact that we pay from \$3.70 to \$4.95.

#### WHAT IS PAID ELSEWHERE FOR SUCH PAVEMENTS.

A distinguished lawyer of Buffalo, who has received his information from an official source, sends me the following information concerning the contracts made by that city, with the Barber Company:

"The price since 1886 has been quite uniformly about \$3 a square yard, including everything. \* \* \* Ninety per cent. of the pavements were laid by Barber with Lake asphalt."

Having heard that the city of Utica had been recently paved with asphalt most satisfactorily to its inhabitants, I wrote to Mr. Thomas Wheeler, Mayor of that city, and received such a reply as made me wish he was Mayor of New York. As he gave me permission to make use of his letter in whatever way it would do the most good, I cull such portions of it as bear directly on the conditions of this city. He says: "During the years 1888, 1889, 1890 and 1891 the Warren Sharf Asphalt Paving Company (now in the Barber combination) did all the asphalt paving that was done in this city. They had no competitors in bidding, they owned the Common Council, maintained their high prices, selected the streets they wanted to have a year in advance, and otherwise held high carn-



val, as to them seemed best. When I came into office in March, 1892, knowing the corruption underlying the paving combination which was robbing our taxpayers, I made an effort to secure honest, fair prices in the line of public improvements. The courts were kept busy, injunctions were the order of the day, aldermen voting for illegal contracts were fined for contempt of Court, crime made a bold fight for success. Two of our three daily papers were the mouthpieces of the combination, but, as soon as outside competitors saw an opportunity to bid on paving contracts they came forward with their bids, and combine prices went to the wall. Two streets have been paved this last season with Trinidad asphalt at \$1.95 per square yard, and all other work at like reduced prices, so that on one street the price on a 40-foot lot was \$1.29  $\frac{60}{100}$ , and on the other \$1.34  $\frac{80}{100}$ —a reduction of more than \$40 per lot. A five-year guarantee accompanies each pavement thus far laid, and all repairs needed during the said five years have been promptly made.” \* \* \* “Rutgers Street pavement was laid by the Utica Paving Company with Bermudez asphalt; Plant Street and Jewett Street were laid by a property owner on each street. They took the contract 15 per cent. less than the successful bidder at the letting by the Common Council, under a provision of our charter giving property owners liable to be assessed such rights. The property owners employed Mr. Hugo Reed, President of ‘The Trinidad Asphalt Refining Company of New York,’ to oversee the construction. He stated that the Asphalt used was simply Trinidad asphalt, and *not* from Pitch Lake in the Island of Trinidad.”

I have emphasized the word “*not*,” as does Mayor Wheeler in his letter, because the requirement by the Commissioner of Public Works that “Lake” asphalt alone shall be used in this city will be appreciated when I have shown how that word has been used to cut off competition.

Having been informed that Toronto, in Canada, was one of the best asphalt-paved cities in the world, I wrote to the Mayor there, and received a reply through the City En-



gineer, Mr. E. H. Keating, to whom the Mayor had sent my letter. Mr. Keating writes:

"The average cost of Trinidad sheet pavement in this city for two and a half inches of asphalt laid upon six inches of concrete varies from \$2.40 to \$2.80 per square yard. We have no asphalt pavements which have been laid for longer than five years. There have practically been no repairs upon them, excepting where openings have been made for the purpose of laying private drains, water or gas connections. I might add that our specifications require the contractor to keep the pavement in repair for five years from the date of completion, and that the contractor has to state a price in his tender at which he is prepared to keep the pavement in repair for an additional five years if so required by the City Engineer."

Mr. Keating says that their pavements have been laid by the Warren Sharf Asphalt Company (Barber Combination), with Barber's "Lake" asphalt. Toronto, therefore, with the additional expense for the transportation of the asphalt, which I am informed cannot be conveyed by rail, but must be transported in vessels by way of Montreal, has had her pavements laid with the same material used on our streets and virtually by the same Company that has laid ours, for much less per square yard than we pay.

It will not be disputed, however, that a large proportion of asphalt pavements laid in Toronto in 1892 were laid by the Constructing and Paving Company, a local company in Toronto, with "overflow" asphalt.

A short time ago I wrote for information to the New York and Bermudez Asphalt Company, whose office is in this city, and whose asphalt material is so favorably mentioned by Mayor Wheeler. In their reply they say that pavements have been laid with their asphalt in Detroit, Utica and Washington with entire satisfaction, and that it has been laid on a concrete base in Washington at \$2.10, with a five years' guarantee. This, they say, was a close competitive price. They add: "We should say a fair price in New York for a standard pavement, viz., two and one-

half surface on six concrete base, with five years' guarantee, would be from \$2.60 to \$2.75 per square yard, depending on location of work."

Having told what prices are being paid in New York and what are being charged elsewhere, and having shown the rates at which other dealers would pave our streets, I will present certain facts which may determine whether the exorbitant prices paid here for such work are the result of ignorance on the part of the Commissioner of Public Works and his predecessor of what a fair price would be, or whether it is evidence of a conspiracy with intent to defraud the City.

#### WHAT COMPANIES WOULD HAVE COMPETED IF THEY HAD HAD THE OPPORTUNITY.

In order to have a complete understanding of the arrangement by which the Barber Company obtained a monopoly of the asphalt-paving business in this city it will be necessary to give a history of the asphalt business as it existed here at about the time when Thomas F. Gilroy became Commissioner of the Department of Public Works. There were at that time several companies in the business of importing, refining and paving with asphalt, and the kinds of asphalt which were generally acceptable for the latter purpose were Trinidad "Lake," Trinidad "Overflow," "Rock" asphalt and the "Venezuela" asphalt. The companies then and now in existence are The Sicilian Asphalt Company, The Neuchatel, The New York Mastic Works, The West Indies Asphalt Paving Company (afterwards merged into The Trinidad Asphalt Refining Company), The Standard Asphalt Company, The New York and Bermudez Company, and The Barber Asphalt Paving Company. With the exception of the Bermudez and the Neuchatel all these companies dealt in Trinidad asphalt. The Bermudez Company obtained its supplies from Venezuela, and that Neuchatel, I believe, dealt mostly in rock asphalt.

## WHAT KINDS OF ASPHALT ARE THERE.

From Trinidad come two kinds of asphalt—the “lake” and the “overflow” or “land” asphalt. It has been proved by the testimony of experts, and determined by the highest Court in New Jersey that a specification in a contract calling for “lake” asphalt is complied with by an offer to use “overflow.” I am informed by men well versed in all that pertains to that subject that when properly refined and made ready for paving purposes, one kind is just as good as the other—in fact that it costs no more to refine one than the other, and it is often difficult for an expert to distinguish them apart. At all events, I am informed that the Barber Company will not sell a single ton of “Lake” asphalt in the United States for paving purposes.

I have referred at some length to this point because Mr. Gilroy, when Commissioner of Public Works, thought proper to exclude the dealers in “Land” asphalt and others from the market, and thus throw the monopoly into the hands of the Barber Company which now absolutely controls the importation of “Lake” asphalt into this country. Upon this branch of the subject I will not dwell at great length, but will quote from an article which appeared on April, 1892, in the “Paving and Municipal Engineering,” a journal published in Indianapolis. The article headed “Trinidad Lake and Land Pitch,” was written by Jul Schubert, who, I am informed, is a celebrated engineer and a great authority on this subject, and who was formerly in the employ of Barber. He says: “Mr. Whinery acknowledges that chemists cannot find any difference between the two asphalts,” (referring to the Trinidad “Lake” and “Land”), “and I will say neither can any one who does not wish to misrepresent matters. I have worked both kinds of asphalt in their refined state, and know the characteristics of the crude material, and know, therefore, of what I speak.”

I recently asked a gentleman who was once a heavy dealer in asphalt and who is willing, if called upon, to

testify on the subject, if he could give any reason why, in the City of New York, the Barber Monopoly asphalt is always accepted in lieu of any other for pavements. He said that in his opinion it was "a clear case of collusion with the authorities." I asked his reason for saying so, and he replied: "Going back to the time when Barber negotiated with the Colonial Government for the control of the lake at Trinidad, he was under the impression that it gave him the absolute control of all the asphalt there was in La Brea, Trinidad. His phenomenal success spurred outsiders to go into the marketing of what is known as 'overflow,' which is practically the same thing, being taken from the border and sides of the same lake. Prime movers in this enterprise were Trumbull, Stewart & Company, of Trinidad, who have connections here through George Christall. They were quietly absorbed by Barber, and Christall is now the agent for the line of steamers which carry asphalt exclusively for Barber, and he is interested in the Trinidad Asphalt Company now in existence here. They are refiners of 'land' asphalt only, but put in their bids on almost all paving jobs outside the City of New York merely as a blind to cover that part of the law that calls for more than one bidder on a contract." The firm of Carter, Hawley & Company, were next gobbled up by Barber. They were exclusively purchasers of "land" asphalt. They have not since imported any "land" asphalt. The next company to fall into the clutches of Barber was the Sicilian Asphalt Paving Company which, until last year, dealt only in what is known as rock asphalt. They were badly sat upon by the Department of Public Works in this city, who would not allow them to lay their pavements in any large quantities in New York. They laid good pavements, notably one near Morningside Park, and they were abundantly able to give good security to the city. They felt forced to get possession of Trinidad asphalt, which at the time was the only kind recognized by the Department of Public Works, and they sent their agent to Trinidad for such purposes. The agent was Mr. Chamberlain, and he began negotiations with one

da Silva, who represented the "Mon-Repos" land, one of the best deposits in Trinidad. Mr. da Silva came to New York holding the land at \$300,000. The Sicilian Company offered \$250,000. Barber, hearing of these negotiations, stepped in and embraced in his monopoly the Sicilian Company. The next company that fell into the hands of Barber was The Trinidad Asphalt Refining Company, successors of The West Indies Asphalt Company, and it is now an undisputed fact that there are no companies in the United States to-day refining Trinidad asphalt, for paving purposes, but what are in the Barber monopoly.

The New York and Bermudez Company, the Neuchatel and the New York Mastic are doing small business outside of the monopoly. They have capacity and ability to do any work that Barber does, but cannot get the opportunity.

#### CLEAN LOSS OF \$2.15 PER SQUARE YARD.

A most important part of this question for the public to bear in mind is as follows:

*On a large proportion of the streets which have been repaved with Asphalt, the Asphalt has been laid over and upon existing pavements, which have been of granite or cobble stone. The difference in the cost of laying Asphalt upon such basis is very much less than where it is necessary to lay first a concrete foundation. This fact was perfectly well known to Mr. Gilroy, but in presenting to the Board of Estimate and Apportionment his estimated cost of such work, which he is required by law to do, he spoke of the work to be done as "upon the present stone pavements," and estimated the cost at from \$1 to \$1.10 per square yard. I am informed by the best of experts that they would be glad to get such work at \$1.70 per square yard.*

The question now arises—how has the Department of Public Works interfered so as to cause this state of things?



HOW THE SPECIFICATIONS IN THE CONTRACT WERE  
CHANGED.

In 1889, when Mr. Gilroy became Commissioner, the specifications as to the asphaltum to be used were set forth in the agreements to be made with the contractors in the following language:

"The asphaltum shall be specially refined and brought to uniform standard of purity and gravity of a quality *equal to the best Trinidad asphalt*, to be approved by the Commissioner of Public Works." Under that specification any one having good asphalt could contest, and some bids were then offered as low as \$2.75 and \$3 per square yard. Later on, while Mr. Gilroy was still Commissioner, that specification was changed and ran thus:

"The asphaltum *must be equal in all respects to that mined from the Pitch Lake in the Island of Trinidad, to be approved by the Commissioner of Public Works.*"

When that change was discovered in the proposed contracts, the dealers in asphalt, who were pretty well aware of what was going on, began to realize their danger and to look around for some refuge; but, when they found that such specification was very soon amended again, they were willing to accept almost any terms rather than be ruined.

The second amendment was as follows:

"The asphaltum shall be that mined *from the Pitch Lake in the Island of Trinidad*, and shall be specially refined and brought to a uniform standard of purity and gravity of a quality to be approved by the Commissioner of Public Works."

Thus the door was slammed in the faces of all dealers who could not furnish asphalt from *Trinidad Lake*; and Barber, who was the sole importer of such asphalt and who had rented the Lake from the Colonial Government, was left in absolute control of that business.

In order to make some show of decency, Gilroy sent a man who is employed in the Department of Public Works as an engineer, to the Island of Trinidad, to bring back some pieces of asphalt and an opinion which might be of



service to him in case public opinion should overtake him. The engineer went down there as the guest of Mr. Barber, and in his boat. What specimens of asphalt he brought home with him is unknown, but as it was only necessary that the asphalt should be approved by the Commissioner of Public Works, it made but little difference. If the story told me is true, with regard to that engineer's voyage to Trinidad, he probably had a very enjoyable trip, whether he went for asphalt or anything else.

#### HOW THE FIFTEEN-YEAR CLAUSE IN THE CONTRACTS OPERATES.

I am informed that Mr. Gilroy will attempt to explain the payment of such prices to Barber by saying that 70 per cent. of the contract price is paid down, and that 30 per cent. is retained by the city as security that the contractor will keep the pavement in repair for fifteen years. It is true that such amount is so paid down and that 30 per cent. is retained for such purpose. At the end of five years the city begins to pay the 30 per cent. to the contractor at the rate of 3 per cent. each year. Such an arrangement would be absurd if it were not another branch of the same imposition practiced on the city. It is well known to the Commissioner as well as to the Barber Company, and as I have shown from the letter of Mr. Keating, City Engineer of Toronto, and by the testimony, given under oath, concerning the Buffalo job, that very little repairing is required upon well-laid pavements, unless they are disturbed "by the laying of private drains, or by making gas and water connections." By making such a contract with Barber the Commissioner not only granted him absolute sway over the laying of the same streets for fifteen years, but he gives him control of street repairs for fifteen years on such pavements, and the amount paid for such repairs is very large and can be made as large as a dishonest official is willing to have it made. To make this perfectly clear: If Barber agrees to keep his pavements in order for fifteen years it means that if

they get out of order from ordinary wear and tear he will repair them, but he does *not* mean to do so if they are disturbed by the direction of the Commissioner of Public Works. Therefore, when an application is made to the Department of Public Works for permission to open the street for some breakage of gas or water, or other cause, he cannot grant it without the consent of Barber, who would claim that his contract was broken in that particular if any one else was deputed to repair. Of course, he will repair if the people pay him liberally.

The interpretation which I have given to the Commissioner's great interest in behalf of our city in that particular is one generally accepted by contractors who formerly had more work than now. I quote once more from the letter which I received lately from the New York Burmudez Company in this city. It says: "We are of the opinion that the system now in practice of requiring bonds of fifteen years and retaining 30 per cent. of the cost for five years is a most expensive one for the city. To secure fifteen-year bonds is very difficult and expensive to a contractor, and the city is not sure of the bondsman, for who can tell what fifteen years might bring to the strongest party? \* \* \* Under the fifteen-year guarantee, the contractor laying the pavements really can have no competition in them for fifteen years to come, and in this way the great monopoly is fastened and grows fat, and will continue to do so for the next fifteen years, no matter how good a material may be found to enter into competition."

#### THE BOARD OF ESTIMATE AND APPORTIONMENT AT FAULT.

It would appear that much of the swing which the Commissioner of Public Works has obtained in regard to the expenditure of public moneys is owing to the astonishing negligence of the Board of Estimate and Apportionment.

The laws of 1889 (Chap. 346) and those of 1892 (Chaps. 34 and 409) are the authority now given by the Legis-

lature for the expenditure of money, by bonds, for asphalt pavements in the city, but these do not include the authority given to the Board of Estimate and Apportionment to grant annual appropriations to the extent of \$500,000 for street paving.

The Acts of 1889 and 1892 in effect empower the Board of Estimate and Apportionment, *whenever and as often as they shall determine that the public interests require the repaving of certain streets and avenues*, to be designated by them, to authorize such pavement, *and to determine the kind of pavement to be used.*

For such expense the Comptroller must issue, from time to time, when directed by the Board of Estimate and Apportionment, bonds or stock of the city, to be raised by taxation, which securities are redeemable in not less than ten nor more than thirty years from the date of issue, as the Comptroller shall determine.

This Act of 1889 authorizes the issuing of \$3,000,000 bonds, but not more than \$1,000,000 of such bonds shall be issued in any one year, beginning January, 1889.

It is made necessary, also, before advertising or executing any contract for the repavement of any street that the Commissioner of Public Works should submit to the Board of Estimate, as nearly as may be, the probable cost of such repavements, and no contracts shall be entered into for the repavement of any street or avenue until the Board of Estimate and Apportionment has appropriated the amount to be expended from the proceeds of the bonds.

The Act of 1892 is similar to the Act of 1889. The main difference is that by the Act of 1892 power is given to the Board to issue \$1,500,000 of bonds annually instead of \$1,000,000.

To illustrate the way in which the Board of Estimate and Apportionment has exercised such discretionary authority, I would draw attention to the proceedings at one of its meetings as shown in the record of 1892. On the 13th of April, 1892, the Mayor moved at the meeting of the Board of Estimate and Apportionment that Commissioner of Public Works Gilroy be directed to report what

streets of the residential and tenement districts it was desirable to repave with asphalt.

On the 28th of April Gilroy reported, and designated fourteen streets, with estimates amounting to about \$350,000. A resolution was at once offered, and passed unanimously by the Board, giving authority to the Commissioner of Public Works to do the work he had proposed.

#### NON-PARTISAN BOARD OF ESTIMATE AND APPORTIONMENT SUGGESTED.

The Board of Estimate and Apportionment consists of the Mayor, the President of the Board of Aldermen, the President of the Board of Taxes and Assessments, the Counsel for the Corporation, and the Comptroller. The members of this Board now are all Tammany Hall Democrats. As it is by the authority of this Board that the money and securities belonging to the city find their way out of the Comptroller's hands, it is, of course, the most important Board of any under our city government, and should be a safeguard against frauds.

If the Legislature should deem it wise to make the Police Board non-partisan, would it not be as well to create a non-partisan Board of Estimate and Apportionment?

I believe that those who carefully read this statement of facts will agree with the Independent County Organization that neither the present Commissioner of the Department of Public Works nor the present Mayor are proper persons to be entrusted with the annual expenditure of so much money.

## CONDITION OF THE NEW YORK CITY DEPARTMENTS. 1894.

*To the Senate of the State of New York:*

The undersigned, who represent "The Independent County Organization" of the City of New York, which is a large and important body of non-partisan voters, actuated by a desire to relieve our city from the odious yoke of Tammany Hall methods, and to restore to it an honest government, respectfully represent to your Honorable Body that New York City is now under the control of a body of political schemers, who, with the aid given them by great corporations, retain their power through knavery. We believe that the leaders of Tammany Hall are amassing great fortunes at the expense of the people, and are so surrounding themselves with moneyed protection that it would be difficult, if not impossible, to remove their grasp upon the city unless you send to our rescue at once.

We rejoice with our fellow-citizens that you have realized the necessity of appointing a committee of your body to investigate the workings of our Police Department; but we urge upon you the greater importance of a thorough investigation into the methods of the other departments of our city government. The Police Department is undeniably, but only indirectly, under the influence of Tammany bosses, while it is mainly by their manipulation of other departments that they have become rich and have drawn vast corporations to their support.

We believe that we echo the wishes of all good citizens

when we urge you to select from your body a committee to whom you will entrust necessary powers to compel attendance of witnesses, with sufficient means to effect thorough examination, and to whom you will give reasonable time to expend on the work, to investigate the methods of the different departments of the city government, particularly those to which we now briefly refer.

### FIRE DEPARTMENT.

A complaint was recently made to the Mayor by Mr. Henry Winthrop Gray, a late Fire Commissioner, against the business methods of the Fire Department, charging that the city has been compelled through that department to pay grossly exorbitant bills.

Mr. Gray says that horses were purchased for \$300 apiece which could readily have been bought for \$150 each, and he gives details of other purchases made in the same way. Mr. Gray further charges that documents of the Fire Department were wilfully destroyed so that facts might be perverted.

A statement like this coming from such respectable source renders it more than probable that other frauds have been practiced, and that the probing of the department by an investigating committee is desirable.

### THE DOCK DEPARTMENT.

This branch of the city government is about to be invested with the expenditure of immense sums of money. The recent transfer of a good Tammany business man from the position of a Police Justice to this department is evidence that Tammany bosses are awake to the emergency.

Among other things, this department wishes to purchase 450 city lots at an expenditure of \$2,700,000; it is also authorized to expend upon the docks, each year for three years \$3,000,000, and it is now suggested to expend about \$25,000,000 on the West Side water front. With the con-



sent of the Commissioners of the Sinking Fund, a body composed of five Tammany officials, this department, which is also composed of Tammany men, has power to even change the location of the piers on our water fronts, and to alter and extend the present pierhead lines. This power might incite immense expenditures.

It is our opinion that the Commissioners of the Sinking Fund should be either a non-partisan board or should be appointed from business men of this city by the Chief-Justices of our three highest Courts. A general investigation of the manner in which this department is conducted, if statements frequently made in the newspapers are correct, would be of benefit to this city.

#### DEPARTMENT OF PUBLIC WORKS.

It has been openly charged that the "Barber Asphalt Paving Company," with a combination of its own, and with the aid of this department, has defrauded the city out of many thousands of dollars, and is continuing to do so. It is believed this fraud is, and has been, perpetrated mainly by means of the drawing of such contracts for asphalt paving as virtually cuts off competition and allows the Barber combine to charge such prices for work as they and this department have thought proper.

A careful investigation of the methods of this department since 1888 will, we feel certain, unearth great frauds.

#### PARK DEPARTMENT.

In this department, which is also under Tammany control, important contracts are said to be drawn generally in a manner favoring Tammany contractors and virtually cutting off competitors who have no such political backing.

As an illustration: The recent contract made for the Speedway gave discretionary power to the Park Commissioners to pay to the contractor who obtained the work, in their discretion, eighty per centum for work done—an

estimate of such work to be made not more than once a month, and at the discretion of the Commissioners. Should a friendly contractor obtain the job he would be able to carry it on with comparatively small capital, while an outsider might not be able to obtain any pay for such work until its completion, and, therefore, would be unable to compete for the work unless he had large financial support.

In most of the departments the chief aim in preparing contracts is to drive away all parties who are not backed by Tammany influence.

#### SCHOOL DEPARTMENT.

Our school system is in danger, as its control has fallen into the hands of Tammany leaders, who are using it to advance their own interests. As an illustration: A short time ago Mr. Leopold Wormser, who for five years had been an efficient trustee in the Twelfth Ward of this city, was deposed, as he openly charges, through the machinations of Michael J. Mulqueen, aided by his father-in-law, Thomas F. Gilroy, Mayor of this city, and one Michael Callaghan was installed in his place. This was brought about, although 2,500 citizens, including the best men in the ward, had signed petitions asking for Mr. Wormser's reappointment. Mr. Callaghan is said to be a sugar broker, who had never held any position in the school system, and was unquestionably selected because he was a Tammany Hall man, and a fast friend of Mulqueen's.

A thorough investigation of this system so important to our city is absolutely required in order that protective laws may be passed which will save our schools from virtual destruction. In the opinion of people who are capable of judging, the whole school system of this city requires to be remodeled and placed under one board, and removed altogether out of the possible control of politicians. At the present time as much political influence is required to obtain a position for a school teacher as to secure a clerkship in any of the city departments.

There is an expenditure of about \$6,000,000 made annually by the Board of Education in purchasing supplies and sites for schools, and that would naturally attract politicians.

### EXCISE.

The Excise Board is now a mere political machine through which saloonkeepers are forced into Tammany Hall. By means of discretionary powers exercised by the Commissioners no man can expect protection or assistance from them or from the Police Department unless he can be relied upon by Tammany Hall. We are of the opinion that very much of this discretionary power should be taken from them.

A careful investigation of the present methods of the Commissioners would be the readiest means of discovering what changes in law are required.

### COUNSEL TO THE CORPORATION.

It is our opinion that this office should be elective, or, if not, that its incumbent should be appointed by the judges of our highest courts. Such counsel should be a man of high character, free from all political associations and not dependent for his office upon any boss whatever. His opinion is asked for, and it should be one that could be relied upon by the heads of departments; but when all such heads are appointed by the same boss who appoints him it can hardly be expected that he will be anything more than a tool for such boss.

An investigation of the affairs of this office as to the settlement of claims against the city, the collection of moneys due to the city, the time occupied by the present incumbent in his own private business, and the kind of advice given to the heads of departments by him, would demonstrate that this appointment should be taken from the Mayor.

## DEPARTMENT OF STREET CLEANING.

In this department contracts are given out to the friends of the present Commissioner, or to his Tammany associates, without authority of law. This favoritism is clearly shown by the contracts, which are drawn in a manner that precludes honest competition. It is our belief that a thorough investigation of this department would expose a condition of affairs which would astonish the public.

The following is an illustration of the way in which contracts are awarded: Recently a contract was made, without such public letting as the law requires, with one Dailey, for dumping the city refuse for twelve cents per cubic yard. Another contractor, one Captain Keyes, was willing to take the job at eight cents, and our recent Comptroller discovered another person, who controlled a machine for unloading dock scows who was willing to do the work for seven cents per cubic yard.

Another illustration of the manner in which public money has been wasted in this department is the following: During five months in the year 1893 the price paid by this department to Messrs. Fiss & Doerr, of this city, for horses to be used before ash carts was \$250 apiece. Two hundred and sixty horses were purchased at that price for such purpose at an expense of \$65,000.

It has been charged through the newspapers that supplies for the Street Cleaning Department, which includes the purchasing of such horses, are largely made through the instrumentality of certain Tammany leaders.

An enterprising journal in this city made an investigation of this matter, and sent to the firm of Fiss & Doerr, as if coming from a neighboring city, an intimation that it desired to purchase horses of precisely the same character as had been sold to the Street Cleaning Department of this city, and received in reply a written offer from said firm to deliver the same kind of horses, as to age, weights, etc., for \$125 each.

One more illustration: Notwithstanding the city employs horses, carts and men to remove garbage, ashes and such matter, it pays extra to have removed the manure

from their own stables. We are informed that the firm of Kent & Wright do this business at the rate of \$2 per year for each horse. Strange to say, the same firm sells back the manure to the city at increased prices, as well as at varying prices. For instance, this firm delivered:

Feb. 19th, 1892.	To Department of Public Works, 300 loads at \$1.50 each..	\$450.00
May 4th, 1892.	To Department of Public Works, 226 loads at \$3.90 each..	881.40
	Received from Street Cleaning Department for removing .....	307.18
		<hr/>
		\$1,638.53

The above is a small matter in itself, but indicates the manner in which the public moneys are frittered away under the present management of Tammany Hall. This is probably the worst-managed department, if there be any difference in them, under the city government, and it is sad to notice that the Mayor of this city, in his message, speaks of it as "better organized and in more effective condition at this time than it has ever been before."

#### LEGAL SALES.

Peter F. Meyer was until recently, if he is not now, a partner of Richard Croker in the real estate business. Meyer was manager of a salesroom on Broadway, and the regular Real Estate Exchange was, and has been, for years located on Liberty Street. It is said that the Liberty Street Exchange represented among its members taxable property to the extent of \$500,000,000. Application was made to the courts to change the authority to make legal sales in Meyer's salesroom on Broadway, instead of in the Real Estate Exchange on Liberty Street. Most of the Judges voted for the change and it was made. Shortly after this change was made Richard Croker became a partner of Meyer in the real estate business, and

Meyer became Treasurer of Tammany Hall. This transfer has been looked upon as a trick to benefit Croker and his friends. An investigation of this subject is desirable.

#### BOARD OF ESTIMATE AND APPORTIONMENT.

This should be the most carefully protected branch of our city government. It is now under the exclusive control of Tammany Hall. By the direction of this board, most of the public moneys are expended. In our opinion, the board should be composed of business men who have no close affiliation with party politics, and that they should be selected by the Chief Justices of our highest courts to hold position for a long term. If such suggestion does not meet with approval, we would then suggest that the board should be non-partisan.

A careful investigation of the methods of this board, with the aid of the Comptroller's office, is the only way we can ever learn to what extent the city's credit has been really pledged. It has been openly charged, in order to make the annual budget of expenses appear small, bonds have been issued at different times to enormous amounts. A final awakening must come at some time and why should it be postponed longer?

At present the demands for bonds for the Dock Department, for Elm Street improvements, for the new City Hall, for the Speedway, for bridges over the Harlem River and for paving the city are some of the proposed requirements for the making of new bonded indebtedness.

All of these obligations are to be passed upon by a board of Tammany Hall officeholders, most of whom, if not all, have been appointed by the present Mayor of New York.

In conclusion, we know of no city excepting New York in which men who have been charged and even convicted of crime are appointed to public office, nor do we know of any other city in which so many people are permitted to draw salaries from the public funds without rendering public service. While you are considering our petition for aid we trust such facts will not be forgotten.











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